

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM-M-34765-2022**

**Date of decision: 22.11.2022**

Sikander Singh

...Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. L.M.Gulati, Advocate,  
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this petition, the petitioner seeks regular bail in case FIR No.110 dated 05.05.2022, registered at Police Station Sadar Amritsar, District Amritsar, under Sections 379-B(2)/34 IPC.

Learned counsel for the petitioner contends that the above-noted FIR was registered against some unknown persons; that as per the prosecution version, the petitioner had snatched the mobile phone of the complainant whereas co-accused, namely, Shamsher Singh had given *datar* blows on the person of the complainant; that the aforesaid co-accused has since been granted the concession of regular bail by this Court, vide order dated 16.11.2022, on the ground that there was no medical record qua the injuries and the matter was compromised between the parties.

Learned counsel further contends that recovery of mobile phone was effected from the petitioner; that moreover, a compromise has been effected between the petitioner and the complainant; that in the petition for quashing of the FIR, on the basis of compromise, the parties

had been directed to get their statements recorded qua the genuineness of the compromise, and that furthermore, the parties have also got their statements recorded before the trial Court qua the compromise. The petitioner has been in custody since 07.05.2022.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had actively participated in the occurrence, and that on 04.05.2022, at about 11.15 P.M., the petitioner had snatched the mobile phone of the complainant, who is an ice-cream seller, whereas the co-accused had caused injuries on the person of the complainant.

I have heard the learned counsel for the parties.

The recovery of mobile phone has already been effected. Moreover, a petition for quashing of the FIR, on the basis of compromise effected between the parties, is pending adjudication wherein the parties were directed to get their statements recorded qua the genuineness of the compromise. Furthermore, the parties have got their statements recorded before the concerned Court, qua the compromise.

Challan has been presented, but charges are yet to be framed. The petitioner has been in custody since 07.05.2022. Trial is unlikely to conclude any time soon. As stated above, the co-accused has since been granted the concession of regular bail by this Court on the ground that there was no medical record qua the injuries on the person of the complainant. There is no other case registered or pending against the petitioner. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**22.11.2022**  
parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |