

CRM-M-40340 of 2022

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

CRM-M-40340 of 2022
Date of decision: 24.11.2022

Anshdeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Manu Loona, Advocate,
for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.50 dated 17.05.2022 under Sections 379-B, 323, 34 IPC registered at Police Station Arniwala, District Fazilka.

The case of the prosecution is that on the statement of complainant Gurjit Singh son of Balbir Singh with the allegations that on 08.05.2022 at about 10.00 PM, he had left his Petrol Pump namely Hans KSK situated at Arni Wala to Malout Road after closing the same. It was about 10.13 PM that three unknown persons armed with Kapa came there and threatened his employees to hand them over the entire cash lying at the Petrol Pump. When his employees disclosed that the owner had already left

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the Pump alongwith cash, those persons snatched mobile phone make MI from the possession of his employee Shubham Kumar and assaulted him with their weapons. His other employee Pamma Singh called him at the Petrol Pump where he noticed a number of injuries on the person of Shubham Kumar who was admitted at Civil Hospital, Fazilka.

Learned counsel for the petitioner submits that the petitioner is a young boy of 19 years and has been falsely implicated in the present case. He is not involved in any other case. He further submits that since the matter has been compromised between the complainant and the accused, petition under Section 482 Cr.P.C. seeking quashing of FIR and all other consequential proceedings arising therefrom on the basis of compromise dated 20.10.2022 has been filed before this Court being CRM-M-50574 of the 2022, which came up for hearing before this Court on 17.11.2022 and while issuing notice of motion, it has been directed for recording the statements of the parties before the trial Court/Area Magistrate and the said matter is pending for 17.2.2023. Learned counsel further submits that conclusion of trial may take a long time. No useful purpose would be served by keeping the petitioner behind the bars, therefore, he may be granted regular bail and that the petitioner is not involved in any other case.

Learned State counsel could not refute the abovesaid factual position with regard to compromise and also the fact that no case is pending against the petitioner and that trial is likely to take a long time.

Considering overall facts and circumstances of the case, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail

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bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

The petition stands disposed off accordingly.

24.11.2022
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No