

CRM-M-50676-2022

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

CRM-M-50676-2022

Date of decision: 16.11.2022

Shamsher Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Rupinder K. Thind, 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 Police Commissionerate, 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, and that the allegations against the petitioner are that he alongwith the co-accused had given *datar* blows to the complainant while snatching his mobile phone. However, there is no medical record qua the injuries on the person of the complainant. She further contends that recovery has already been effected and that the petitioner has been in custody since 07.05.2022.

Learned counsel further contends that moreover, a compromise has been effected between the parties; that in the petition for quashing of the FIR, on the basis of compromise, the parties had been directed to get

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their statements recorded qua the genuineness of the compromise vide order dated 11.10.2022; that in pursuance of the aforesaid order, the parties have got their statements recorded before the trial Court qua the compromise, and that so far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

Learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had given *datar* blows to the complainant and also snatched his mobile phone. However, he has no instructions qua the compromise effected between the parties.

I have heard the learned counsel for the parties.

Though there are allegations against the petitioner that he alongwith the co-accused had given *datar* blows to the complainant and also snatched his mobile phone, yet there is no medical evidence to prove the injuries on his person. The recovery 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 learned Addl. Sessions Judge, Amritsar, qua the compromise. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

The petitioner has been in custody since 07.05.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the

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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.

16.11.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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