

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

Neutral Citation No. **2024:PHHC:022432**
CRM-M-7225-2024

Date of Decision: February 16, 2024

Sunny Alli

...Petitioner

Versus

The State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vipul Aggarwal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in a case arising out of FIR No.86 dated 29.03.2023, under Section 379-B and 34 of IPC (Section 411 of IPC added later on), registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar.

2. This is the 3rd petition. The first petition bearing CRM-M-39485-2023 was dismissed as withdrawn vide order dated 17.11.2023 (Annexure P-4). The 2nd petition bearing No.CRM-M-1628-2024 was dismissed in withdrawn with liberty to file fresh one with better particulars vide order dated 19.01.2024 (Annexure P-5).

3. Allegations of the prosecution are that on 28.03.2023, 03 youths on a motor cycle came from behind and snatched the mobile phone of complainant Satnam Singh. Petitioner is alleged to be one of the snatchers.

4. Learned counsel for the petitioner contends that the matter has since been compromised. Copy of affidavit of complainant - Satnam Singh has been placed on record as Annexure P-2.

5. Notice of motion.
6. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent-State.
7. Learned State counsel has placed on record custody certificate revealing the custody period of the petitioner to be 10 months and 18 days. He is also shown to be involved in one more case bearing FIR No.80 of 2023, under Sections 379-B/34 IPC, registered at Police Station Sadar Amritsar. Learned State counsel submits that in view of the criminal antecedent of the petitioner, he should not be allowed bail.
8. In reply to the aforesaid contention of learned State counsel, learned counsel for the petitioner has placed on record the copy of FIR No.80 dated 24.03.2023, under Sections 379-B/34 IPC, registered at Police Station Sadar Amritsar, as referred in the custody certificate, so as to contend that complainant of that case, namely, Inder Singh has not supported the prosecution case. The copy of the statement of Inder Singh has been placed on record.
9. Power of attorney has been filed on behalf of the Satnam Singh, complainant of this case by Ms. Sunita Gupta, Advocate. Learned counsel for the complainant concedes the fact that the matter has since been compromised and she has no objection in case the petitioner is admitted to bail.
10. Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, petitioner is

admitted to bail. He is ordered to be released on regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 16, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No