

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

**CRM-M No. 11234 of 2016 (O&M)**

**Date of Decision: 06.04.2016**

Sukhwinder Singh alias Sukha

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Ashish Aggarwal, Advocate  
for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab  
for the respondent/State assisted by SI Satinder Pal Singh.

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**JASWANT SINGH, J. (ORAL)**

Prayer in this petition under Section 439, Criminal Procedure Code, on behalf of accused/petitioner-Sukhwinder Singh alias Sukha is for grant of regular bail in case FIR No. 120, dated 24.08.2015, for offences punishable under Sections 379/342 of the Indian Penal Code (Section 395, IPC added later on), registered at Police Station Gharinda, District Amritsar.

Allegations against the petitioner are that he alongwith his thirteen other co-accused persons had committed a theft of 1476 bags of wheat from the godown of the Markfed on the intervening night of 23/24.08.2015 after overpowering the Chowkidar.

The name of petitioner has surfaced on the basis of a secret information received by the police. In his disclosure statement, the petitioner has confessed his involvement in similar cases of theft of wheat from other five godowns.

It is contended that the case is triable by a Magistrate and the petitioner is in custody since 03.11.2015 and after completion of the investigation, challan stands presented.

Learned State Counsel, assisted by SI Satinder Pal Singh, concedes the factual position regarding custody period of the petitioner and submits that challan has been presented, wherein eleven witnesses has been cited and the case is now fixed for framing the charge.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner and the fact that the trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

April 06, 2016

*'dk kamra'*

**( JASWANT SINGH )  
JUDGE**