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

CRM-M No. 18925 of 2020
Date of Decision: 04.08.2020

Sukhchain Singh @ Khanna

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.S. Sandhu, Advocate,
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.333 dated 19.12.2019 under Sections 379-B, 34 IPC registered at Police Station City Faridkot.

Petitioner has alleged that the police party raided his house at odd hours of mid night of 19/20.12.2019 and mis-behaved with the family including women folk. The police took the petitioner from his house by throwing him in the police vehicle and implicated the petitioner in the present case.

FIR was registered by the complainant – Bina Kumari with the allegations that on 18.12.2019, she was coming back on her feet to her house from her office. When she reached ahead of Sunny Rain Basera at about 5.50 PM, two young boys while riding a motorcycle came from behind and the pillion rider snatched her bag and went away. The bag was containing ATM card, about Rs.25,000/- and other important documents. When the complainant was coming inside the main gate of Medical Hospital, she saw both the young boys standing there and were looking at the complainant. The complainant further stated that she can identify the culprits if they are produced before her. During night hours, the complainant went for searching the accused of her own.

The FIR came to be registered on 19.12.2019 at about 14.55 hours. Thereafter, supplementary statement of the complainant was allegedly recorded by the police in which the complainant gave the names of Lakhwinder Singh and Sukhchain Singh @ Khanna as accused persons.

On a pointed query, learned State counsel states that though no Test Identification Parade was conducted, but according to instructions from ASI Gurmeet Singh, the accused were identified by the complainant in view of her supplementary statement.

Learned counsel for the petitioner relies upon the affidavit filed by the complainant to the effect that she gave the names of the aforesaid accused on being disclosed by neighbourers and police. Infact, she has no objection because the accused have not committed any crime as alleged in the FIR.

Petitioner is in custody since 19.12.2019.

Challan has been presented, but charges have not been framed.

Owing to the situation arising out of pandemic COVID-19, I deem it appropriate to release the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

04.08.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No