

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

CRM-M-38577-2020 (O&M)

Date of Decision: 27.11.2020

Sukhchain Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepak Gupta, Advocate for the petitioner.

Mr. SPS Tinna, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.66, dated 03.09.2020, under Section 382 IPC (Sections 379-B and 325 IPC added later on), registered at Police Station Bajakhana, District Faridkot.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Krishan Singh. Complainant asserted that he was doing a marketing job in Jio Mobile Company, Kotkapura. It is asserted that on 02.09.2020 after collecting money from different villages, he was proceeding on his motorcycle. At about 1:20 P.M., he was accosted by the present petitioner as also co-accused Arshdeep Singh and whom he knew earlier. A quarrel took place and thereafter the present petitioner is alleged to have attacked the

complainant with a spade which hit him on the right side of the forehead. Kit bag in possession of the complainant was snatched which contained cash amount of Rs.30,000/-, Aadhar Card, ATM card and receipt book of the company.

Petitioner was arrested on 03.09.2020.

Investigation in the case is complete and the challan already stands presented.

Section 325 IPC was added at the time of filing of the challan on account of injury suffered by the complainant and attributed to the petitioner.

Perusal of the order dated 06.10.2020 passed by the Additional Sessions Judge, Faridkot declining bail to the petitioner would reveal that currency notes of Rs.1500/-, receipt book and Aadhar Card was recovered from the almirah lying in the house of Arshdeep Singh (non-applicant).

It has gone uncontroverted that the petitioner is not involved in any other criminal case.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

27.11.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No