

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

CRM-M-19950-2021 (O&M)

Date of decision: 07.07.2021

Sukhjinder Singh @ Baba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Reply as well as custody certificate filed by State counsel be
taken on record

This petition for regular bail has been filed by petitioner
Sukhjinder Singh @ Baba, an accused in FIR No.90 dated 19.07.2020,
for offences under Sections 341, 323, 379-B, 201 and 34 IPC (Section
379-B and 201 IPC added later on and Section 379 IPC was deleted),
registered at Police Station Sadar Faridkot, District Faridkot.

Briefly stated facts of the case as per prosecution version are
that, on 18.07.2020, complainant Baltej Singh running a pesticide
business, had collected an amount of Rs.2 lacs from Gurdev Singh and
went to his office at Village Pakhi Kalan, where Rajwinder Singh @
Bagga and Sukhjinder Singh @ Baba (present petitioner) of his village

also came there and started consuming liquor. At about 9.00 PM, both of them went away on their motorcycle. After 10-15 minutes, the complainant closed his office and proceeded towards his Village Hardialeana on his motorcycle. At about 9.30 PM, when he had reached at bus stand of his village, then Rajwinder Singh @ Bagga and Sukhjinder Singh @ Baba armed with cricket bats intercepted him, gave him beatings, causing injuries on his back and took out Rs.2 lacs from the pocket of pant, which the complainant was wearing at that time. The complainant got himself medically examined and reported the matter to the police. Thereafter, the FIR in question was registered. The petitioner was arrested in this case on 09.12.2020. On completion of investigation, the challan has been filed in the Court, the charge has been framed and the trial against him is going on.

Petitioner had filed a petition for regular bail before the Court of Sessions at Faridkot. That application was assigned to Addl. Sessions Judge, Faridkot, who vide order dated 19.04.2021, dismissed, the same. As such, he has approached this Court craving for grant of similar relief, by way of filing the present petition, which is being resisted by the State counsel.

I have heard learned counsel for the parties besides going through the record.

As per custody certificate placed on record by State counsel, the petitioner is behind bars for 06 months and 26 days. He is not shown to be involved in any other criminal case. The conclusion of trial is likely to take some time, especially, when functioning of the Courts had been

adversely affected on account of outbreak of COVID-19. The guilt of the petitioner shall be determined during the trial. As such, I find it a fit case to grant benefit of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Faridkot, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;
- (iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

07.07.2021

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No