

In the High Court of Punjab and Haryana at Chandigarh

233

CRM-M-23926-2021 (O & M)
Date of Decision: November 10, 2021

GURCHARAN SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.32 dated 26.05.2021, under Sections 379-B IPC, registered at Police Station Ariff Ke, District Ferozepur.

Learned counsel for the petitioner contends that it is alleged in the FIR that when the complainant had withdrawn a sum of ₹30,000/- from the bank and kept the same in his scooter, two persons came out of a car and one of them sprinkled chilli powder in the eyes of the complainant. The complainant threw his scooter and ran away towards the field and the other accused got down from the car and took away the scooter. He also contends that there is no allegation that any of the accused was armed or any injury has been attributed to the complainant and, therefore, prima facie case under Section 379-B IPC would not be made out. He also contends the petitioner has been arraigned as an accused merely on suspicion. He is in custody for over 05 months and does not have criminal antecedents.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 05 months and 09 days. He upon instructions from Sub Inspector Jugraj Singh states that the challan has been filed but no prosecution witness has been examined. He also contends that the scooter along with cash book, passbook and Aadhar card have been recovered from the petitioner.

Heard.

In view of the above, especially when the petitioner is in custody for over 05 months, he does not have any criminal antecedents, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 10, 2021
A.Kaundal

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