

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

225

CRM-M-34832 of 2021

Date of decision : 08.10.2021

Gurcharan Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present : Mr.Veneet Sharma, Advocate
for the petitioner.

Mr.Luvinder Sofat, AAG, Punjab.

Harinder Singh Sidhu, J.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 32 dated 23.02.2018 registered under Sections 392, 395, 342, 457 and 380 IPC at Police Station Baghapurana, District Moga.

The FIR was lodged on the complaint of one Jagdev Singh who stated that he was owner of Ganga Rice Mill, Baghapurana where paddy belonging to Warehousing Corporation was stored for the purpose of milling. On 22.02.2018 after shelling he took two truck loads of paddy containing 1080 bags each weighing 50 Kilograms for depositing the same at the Warehouse Godown. All these dumped rice bag were yet to be cleared by the FCI for accepting. In the morning of 23.02.2018 he was informed by his accountant that some unidentified persons had after tying up chowkidar carried away the paddy in their vehicles.

Learned counsel for the petitioner states that the petitioner has been implicated on the alleged extra judicial confession made by one Rajwinder Singh. No recovery of the allegedly stolen rice has been made from the petitioner. The petitioner was initially released on bail. However as

he absented himself from the court proceedings he was declared a proclaimed offender. He was taken into custody on 26.02.2021 and since then he is in custody. All other co-accused have been released on bail.

The trial of the case is likely to take long time in view of COVID-19 pandemic. No useful purpose will be served by keeping the petitioner behind the bars till the conclusion of trial.

Without commenting anything on the merits of the case and also bearing in mind the custody period of the petitioner, this criminal miscellaneous petition is allowed and the petitioner-Gurcharan Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

08.10.2021
sd

(HARINDER SINGH SIDHU)
JUDGE

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