

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

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**CRM-M NO. 2636-2021 (O&M)
Date of decision :23.02.2021**

Chanan Singh @ Channa @ Gurcharan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID-19.

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 against the complaint of one Jagdev Singh who stated that he was owner of Ganga Rice Mill, Baghapurana where paddy belonging to Waherhousing 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. Similarly he took two truck loads of paddy containing 1080 bags and deposited one at Hind Rice Mill, Baghapurana

and another at Hemkund Rice Mill. 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 him before 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 14.08.2020 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-Chanan Singh @ Channa @ 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.

23.02.2021

Rajeev (rvs)

**(HARINDER SINGH SIDHU)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No