

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

218/3

CRM-M-23738-2019

DATE OF DECISION: 06.11.2019

SIPAHIYA @ SHAIPAHIA @ SAHI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Gursharan Kaur Mann, Advocate
for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Mr. Manuj Nagrath, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.0043 dated 20.05.2018, under Section 365 IPC, (Sections 302/201/120-B, 364 IPC and Sections 25 & 27 of the Arms Act, 1959 were added later on), registered at Police Station Tarsikka, District Amritsar Rural.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein five co-accused have been specifically named as the persons who had kidnapped the son of the complainant. The motive with regard to kidnapping and disappearance of the son of the complainant is attributed to Gamma and the petitioner has no connection with Gamma. She also contends that the petitioner has been arraigned as an accused on the statement of one Aman Hussain

who is stated to be a witness that the petitioner along with ten others was last seen in the company of the deceased. The similarly situated co-accused Liakat Ali @ Toti has been granted anticipatory bail by this Court in CRM-M-46923-2018 on 11.09.2019. The petitioner is in custody for over 1 year and 4 months.

Learned State counsel, upon instructions from ASI Sukhdeep Singh, states that although charges have been framed but none of the 55 witnesses has been examined so far.

Heard.

In view of the submissions of learned counsel for the petitioner, he is in custody for over 1 year and 4 months, the co-accused having been granted bail 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

06.11.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No