

204.

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

CRM-M-4911-2020

Date of decision: 11.08.2020

DAVID MASIH @ SUNIL

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vaibhav Narang, Advocate,
for the petitioner.

Mr. Dhruv Dayal, DAG, Punjab
with ASI Surjit Singh.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.73 dated 18.04.2017 registered under Sections 379, 379-B, 411 of IPC at Police Station Division C, District Police Commissionerate Amritsar.

As per the FIR, one Manjit Singh alias Deepu and Dilbagh Singh alias Bagha used to snatch mobile phones and other articles from different persons and they used to sell the stolen mobile phones to the petitioner. The petitioner was arrested in the case and three stolen mobile phones were recovered from his possession. The petitioner was admitted on bail by the learned Sessions Judge, Amritsar vide order dated 22.05.2017.

However, the petitioner had absented on 10.12.2018 and as such, his bail

bond was cancelled and surety bonds were forfeited to the State on 21.12.2018. Non-bailable warrants were issued by the trial Court. The petitioner approached this Court for grant of anticipatory bail vide **CRM-M-53311-2019** and vide order dated 13.12.2019, the said petition was dismissed as withdrawn with the observation that in case the petitioner surrenders before the trial Court and moves an application for regular bail, the same will be disposed of expeditiously preferably within three days. The petitioner surrendered before the trial Court on 24.01.2020 and since then he is in custody. Counsel further submits that there is no other case against the petitioner.

Learned State counsel has filed the custody certificate, which is taken on record. He does not dispute the custody and the fact that there is no other case against the petitioner.

I have heard learned counsel for the parties.

Petitioner is in custody for the last about 6 months and 18 days. Considering the fact that there being no other case against the petitioner and the trial in the case will take sufficient long time as the courts are not functioning on regular basis due to Covid-19 pandemic, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

11.08.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No