

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-39688-2021

DATE OF DECISION: 10.02.2022

SAPAHIA ALIAS SHAHI ALIAS ALI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vishwajit Bedi, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.0004 dated 08.01.2021, under Sections 379-B (2) & 201 IPC, registered at Police Station Mattewal, District Amritsar Rural (Punjab).

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that a Bolero vehicle containing furniture has been snatched. He further contends that the petitioner has been arraigned as an accused on the statement of the Member Panchayat namely Tarsem Singh, who was inimical to him. Besides the statement of the Member Panchayat, there is no *prima facie* material which would connect the petitioner with the offence. The petitioner was also implicated in the other cases but he is on bail in those cases. He also contends that the co-accused Shahwali @ Saiff Ali @ Billu and Saiff Ali @ Saiffu have been granted regular bail by the trial Court. Co-accused Bashir @ Gaphia has also been granted regular bail by this Court in CRM-M-18089 of 2021 on 20.05.2021. The petitioner is in custody for over a year.

Learned State counsel, while referring to the affidavit of DSP, Sub Division Majitha, Amritsar Rural, contends that the petitioner is also involved in other cases. He also contends that challan has been filed but charges are yet to be framed. He has filed custody certificate which indicates that the petitioner is in custody for 1 year and 9 days.

Heard.

In view of the above, especially when the petitioner is in custody for over a year, co-accused have been granted regular bail, the 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 instant 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.

At the time of release of the petitioner, the SHO, Police Station Mattewal would be informed. The petitioner shall furnish his mobile number to the SHO and keep his mobile phone location on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

10.02.2022

SwarnjitS

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