

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

Sr. No.212

CRM-M-43938-2020

Date of decision :22.2.2022

Gursahib Singh @ Saba

.....Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.GS Sandhu, Advocate for the petitioner

Mr.Sourav Khurana, DAG, Punjab

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.237 dated 7.9.2020, registered under Sections 395, 342, 148, 149 IPC at Police Station Chattiwind, District Amritsar Rural.

Briefly stated, the case of the prosecution is that the petitioner alongwith co-accused including Jivan Singh, Lovejit Singh @ Labha and Patras Masih @ Vicky committed theft of flooring tiles from the complainant's shop.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; he has no other criminal case pending against him; he is in custody since 7.9.2020; investigation in this case is complete; similarly placed co-accused - Jivan Singh, Lovejit Singh @ Labha and Patras Masih @ Vicky have already been granted regular bail by this Court; no further recovery is to be effected from the

petitioner and that the petitioner's trial, which is yet to begin, will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that if released on bail he may indulge in similar offences.

The petitioner is in custody since 7.9.2020; he has no other criminal case pending against him; investigation in this case is complete; similarly placed co-accused - Jivan Singh, Lovejit Singh @ Labha and Patras Masih @ Vicky have already been granted regular bail by this Court; no further recovery is to be effected from the petitioner and that the petitioner's trial which is yet to begin is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Amrisar the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

22.2.2022
gsv

[DEEPAK SIBAL]
JUDGE

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