

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-29101-2020

Date of decision: 25.09.2020

Shiven Sharma

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Surender Saini, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Shiven Sharma, stated to be aged 33 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.118 dated 29.02.2020, registered under Sections 459, 380, 392, 397, 307 & 34 of Indian Penal Code and Section 25 of Arms Act, at Police Station Civil Line, Sonapat.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner has been falsely implicated in this case. He submits that there was some family dispute and that is why the near relative of the complainant i.e. the petitioner, has been named. Counsel then refers to the FIR, to submit that no specific names have been mentioned in the FIR

and it is not at all the plausible story that a Jija would indulge in a crime of theft.

On instructions from SI Ramesh Kumar, learned State counsel submits that investigation in this case is complete and challan has been presented on 29.05.2020. It is also submitted that charges are yet to be framed and there are total of 13 witnesses, out of which, none has been examined till date.

Learned counsel for the petitioner further submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

25.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No