

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

CRM-M-15241-2021 (O&M)

Date of decision: 03.08.2021

Aman @ Manu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gunjan Mehta, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case bearing FIR No. 745 dated 08.10.2020, registered under Sections 148, 149, 323, 427, 452, 302, 120-B IPC, and Section 25 of the Arms Act, 1959, at Police Station HTM Hisar, District Hisar.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. Though the complainant and the petitioner are the residents of the same locality, yet the petitioner was not named in the FIR. The petitioner was indicted in the present case on the basis of a confessional statement of co-accused, namely, Shivalik. As per the allegation, the petitioner was holding a baton. As per the PMR, the injuries

on the person of the deceased were with the help of sharp edged weapon and the same were not attributed to the petitioner. Two co-accused are on regular bail. The petitioner has been in custody since 26.11.2020. The Challan stands presented on 02.03.2021.

Learned State counsel submits that the trial is at an initial stage, the complainant and other prosecution witnesses are yet to be examined. He however, does not dispute the custody period of the petitioner and that no specific role has been attributed to the petitioner.

I have heard the learned counsel for the parties.

No specific role has been attributed to the petitioner. He has been in custody since 26.11.2020. The complainant and other prosecution witnesses are yet to be examined and the trial will take time to conclude, especially due to prevailing situation of Covid-19. Moreover, two co-accused have already been granted regular bail. No useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

03.08.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No