

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

CRM-M-15456-2021 (O&M)

Date of decision: 19.04.2021

Amandeep @ Aman @ Hilla

...Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amit Kumar, Advocate for the petitioner.

Mr. A.M. Punchhi, PP with
Mr. Anupam Bansal, APP, for U.T. Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Copy of custody certificate by way of affidavit dated 15.04.2021 of the Deputy Superintendent Grade-II, Model Jail, Chandigarh, submitted by the learned PP through email, is taken on record.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 127 dated 20.10.2020 registered under Sections 307, 34 IPC and Section 25/27/54/59 of the Arms Act, and Sections 120-B and 216 IPC added later on, at Police Station Sector-11 Chandigarh, Chandigarh.

Learned counsel for the petitioner states that the petitioner was not named in the FIR, he has falsely been implicated in the present case after

nine days of the alleged occurrence and no injury has been attributed to him. The petitioner has been in custody since 04.11.2020. Three other co-accused are on bail.

Learned State counsel while opposing the prayer for bail, submits that complainant-Sandeep Kumar after his discharge from the hospital, while looking into the CCTV footage, found that the petitioner was holding a weapon in his hand at the time of occurrence and thereafter, the complainant had specifically named the petitioner. He further submits that one country made pistol and two live cartridges were also recovered from the petitioner at the time of his arrest. However, he has not disputed the fact that no injury has been attributed to the petitioner. Charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 04.11.2020. Three other co-accused are on bail. As the case is at the stage of evidence and the trial will take time to conclude, thus, 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

19.04.2021
Mangal Singh

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