

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(229)

CRM-M-19226-2021(O&M)

Date of Decision: 26.07.2021

Aman Sharma @ Aman Pandit

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Chirag Wadhwa, Advocate for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case FIR No. 71 dated 11.02.2021, registered at Police Station Sector 32-33, Karnal, under Sections 148, 149, 427, 436, 354, 506, 307 of IPC, Sections 25-54-59 of Arms Act and Sections 3(1)(S)(W), 3(2) (III)(IV), 3(2) (VA) of SC/ST Act.

Learned counsel for the petitioner states that there is no role attributed to the petitioner. Only *danda* is alleged to have been recovered from the petitioner which has been planted. The disclosure statement was recorded after three days.

Learned State counsel stated that the petitioner has taken active role in the present case and he was the member of unlawful assembly.

Though the injuries attributed are simple in nature. As far as the role of the

petitioner is concerned, he was found standing with danda as per the CCTV footage coverage.

I have heard the learned counsel for the parties.

Since no role has been attributed to the petitioner, the petitioner has been in custody since 15.02.2021. The alleged recovery of danda has already been made from the petitioner. Learned State counsel could not distinguish the case of the petitioner from that of co-accused Dev @ Bunty Sharma who has already been released on bail by this Court. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In the totality of circumstances and without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, concerned. Nothing stated herein shall be treated as an expression on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

26.07.2021

lucky

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No