

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 20534 of 2021
Date of Decision: 27.5.2021**

AjayPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Mr. L.S.Mann, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 71 dated 11.2.2021 under Sections 148, 149, 307, 354, 427, 436, 506 IPC, Sections 25, 54, 59 of the Arms Act, 1959 and Sections 3(1)(s), 3(1)(w), 3(2)(iii), 3(2)(iv), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), (Sections 323, 452, 120-B IPC and Section 3(2)(v) of SC/ST Act, 1989 added later on) registered at Police Station Sector- 32-33, Karnal, District Karnal.

Learned counsel for the petitioner submits that the petitioner has not named in the FIR and has been involved in the present case on the basis of disclosure statement suffered by the co-accused. He further submits that the petitioner has been shown carrying a danda (stick) but no injury has been attributed to him. Learned counsel further submits that co-accused

Dev @ Bunty Sharma has been granted regular bail by this Court on 20.4.2021 and the petitioner has been in custody since 16.2.2021.

Learned State counsel, who is assisted by learned counsel for the complainant, submits that it is a dispute between two communities and the petitioner along with other co-accused have taken law in their own hands and broken the household articles of the complainant party and committed vulgar acts with the female members.

I have heard the learned counsel for the parties.

In the present case, the petitioner has not been named in the FIR and has been nominated in the FIR only on the disclosure statement of the co-accused. Co-accused Dev @ Bunty Sharma has already been granted regular bail by this Court. The petitioner has been in custody since 16.2.2021. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

May 27, 2021
Gurpreet

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