

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

237

CRM-M-24224-2021 (O&M)

Date of Decision: 20.08.2021

KAPIL SHARMA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Prayer in the present petition is for grant of regular bail to the petitioner in case bearing FIR No.03 dated 03.01.2020, registered under Sections 307, 34 IPC and Sections 25 and 27 of the Arms Act, 1959, at Police station City Sonipat, District Sonipat.

Status report by way of an affidavit dated 16.08.2021 of the Deputy Superintendent of Police, City Sonipat, filed on behalf of the respondent-State in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Initially, only one person, namely, Ankit Ranga, was named as an accused in the FIR, to whom a gun-shot injury on the waist of the complainant had been attributed, but later on, the said gun-shot has been attributed to the petitioner on the basis of a disclosure statement of the said co-accused. Moreover, co-accused, Ankit Ranga and Rajat, have

since been released on regular bail by the trial Court.

Learned counsel for the petitioner further submits that as per the status report filed on behalf of the respondent-State, complainant-injured and eye-witnesses, namely Nitin, Vinit, Krishan and Manjit, did not support the prosecution version and turned hostile.

On the other hand, while opposing the prayer for grant of bail to the petitioner, learned State does not dispute the factum of the witnesses turning hostile while deposing before the trial Court.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.03.2021. Material witnesses have not supported the prosecution version and turned hostile. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, co-accused of the petitioner have already been granted bail.

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

20.08.2021

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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