

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

CRM-19541-2023 in/and
CRA-S-389-2023
Date of Decision:-**04.05.2023**

TARUN SHARMA ALIAS TANNU

... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

... Respondent

-. -

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-. -

Present:- Mr. Mohinder S. Kathuria, Advocate and
Ms. Himani Anand, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

CRM-19541-2023

1. In view of the reasons mentioned in the application, the same is allowed and the main case is ordered to be taken on board today itself.

Main Case

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.400 dated 30.10.2022 registered under Sections 323, 506, IPC and Sections 3(2), 3(2)(va) of Schedule Castes

and Scheduled Tribes (Prevention of Atrocities), Act, 1989, at Police Station Madhuban, District Karnal.

2. The FIR in this case was registered on the complaint moved by one Parveen wife of Tinku against the present petitioner, wherein it was alleged on 26.10.2022, the petitioner uploaded one video on his WhatsApp status, wherein the petitioner used abusive language against the complainant and her caste and also threatened to cause harm to the complainant and her family. That earlier to this, in the year 2014 the petitioner and other members of his family set ablaze house of the complainant.
3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case due to previous enmity and that now the petitioner is in custody since 4.11.2022. The counsel for the petitioner further submits that in all the other cases being faced by the petitioner, he is already enlarged on bail and is undergoing sentence in one criminal case. So prayer is made that the petitioner be released on regular bail.
4. The instant petition is resisted by the State counsel, who submits that the petitioner circulated some obscene message, in which, he used derogatory language against the petitioner and her caste and also threatened her with dire consequences. However, the State counsel further submits that the challan has presented and the petitioner is in custody since 4.11.2022 but charges are yet to be framed. State counsel further apprised the Court that the petitioner is a habitual offender. However the State counsel has not disputed the fact that the

petitioner is enlarged on bail in 8 criminal cases and is undergoing sentence in one criminal case.

5. I have considered the submissions made by counsel for the parties.
6. Admittedly during investigation of the case, petitioner was arrested and is presently in judicial custody and the date of his arrest is 4.11.2022. The police has presented the challan but charges are yet to be framed and it will take considerable time for the trial to conclude. So no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.
7. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

04.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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