

CRM-M-48411-2023

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

CRM-M-48411-2023

Date of decision: 24.11.2023

VINOD PANNU @ KANA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Pradeep Duhan, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.182 dated 04.09.2017, registered under Sections 147, 148, 149, 302 IPC (Sections 120-B and 216 IPC added later on), Section 25 of the Arms Act, at Police Station Bass, District Hansi.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. Even as per the story of the prosecution, the only allegation against the petitioner is regarding hatching a conspiracy and hiring the shooters. However, there is no material collected by the police to substantiate this story. The petitioner has been in custody since 17.04.2018. Despite such a long incarceration, the prosecution has examined only 26 witnesses, out of total 56 witnesses cited by the prosecution. The trial is not likely to be completed in near future. The petitioner is not required for any further investigation purposes. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

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4. On the asking of this Court, Mr. Viney Phogat, DAG, Haryana, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner has been filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, on instructions, from SI Satbir Singh, submits that the petitioner is the main gangster, who had managed the murder of two persons. The petitioner has had 26 cases against him, out of them, 11 cases are still pending. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed by learned State counsel that the petitioner is in custody since 17.04.2018 and that out of 56 prosecution witnesses, only 26 witnesses have been examined so far.

5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

24.11.2023

parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No