



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-39109-2024 (O&M)
Date of Decision: 19.11.2024

Vinod Pannu @ Kana ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Munish Sharma, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
690	3.11.2021	Azad Nagar, Hisar	307, 285, 201, 120-B, 34 of Indian Penal Code and Sections 25/54/59 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

CRM-42638-2024

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 14.1.2025 and is taken on board today.

CRM-42637-2024

In view of the reasons mentioned in the application, the same is allowed and the copies of orders annexed with the application are taken on record as Annexures P-5 to P-11 subject to all just exceptions.



CRM-M-39109-2024 (O&M)

(2)

CRM-M-39109-2024 (Main Case)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Vinod Kumar, wherein it is alleged that on 3.11.2021, when he was standing outside his store (Modern Mega Store) at about 04:00 p.m. alongwith his brother Sujinder, who was standing nearby, then three boys came on a motorcycle and fired at complainant's brother Sujinder and fled away from the spot.
3. Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR and came to be nominated as an accused on the basis of the alleged disclosure statement made by accused themselves, when they were arrested in some other case. It has been submitted that the falsity of the case would be evident from the fact that when the complainant and other PWs stepped into the witness box, they were declared hostile and did not identify the accused to be the assailants. It has been submitted that some other accused have already been granted regular bail. It has further been submitted that the petitioner has been behind bars since the last about 2 years & 10 months and since the complainant and key eye-witness already stand examined, his detention would not serve any useful purpose.
4. Opposing the petition, learned State counsel submitted that since the petitioner was amongst the three motorcycle borne riders and has a chequered history having been involved in about 13 other cases, no case for grant of bail is made out.
5. This Court has considered rival submissions addressed before this Court.

CRM-M-39109-2024 (O&M)

(3)

6. Without commenting anything as regards merits of the case but having regard to the custody of the petitioner i.e. about 2 years & 10 months and the fact that the complainant and other key eye-witness have already been examined and have not supported the case of prosecution at all and also that some other identically situated co-accused have already been granted regular bail, the petitioner also deserves the same concession on grounds of parity.
7. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.11.2024

Pankaj

(Gurvinder Singh Gill)

Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No