



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

CRM-M-4269-2025

Date of decision : 21.07.2025

Gurpinder Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Mohan Singh Chauhan, Advocate for the petitioner.

Ms. Simran Gorla, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of present petition praying for grant of regular bail in case FIR No.235 dated 21.11.2023, under Sections 307, 323, 324, 342, 447, 448, 511, 436, 427, 148, 149, 379-B of IPC and Sections 25, 27, 54 & 59 of Arms Act, registered at Police Station Sultanpur Lodhi, District Kapurthala.

2. Succinctly the facts of the case are that the present case was registered on the statement complainant, namely, Jagjeet Singh. It was alleged he was working as Sewadar at Gurudwara Akal Bunga Dera Sultanpur Lodhi. On 21.11.2023, he alongwith Nirvair Singh were present at Gurudwara Sahib at about 8.30 A.M, one truck bearing registration No.CG-08-D-1794 entered the Gurudwara Sahib in which one Baba Maan Singh alongwith 15/20 Nihang Singhs armed with weapons were there in the truck. They raised lalkara and then Baba Jagga Singh, Baba Gurpinder Singh (petitioner) who were accompanying Maan Singh, tied the arms of Nirvair Singh and they also snatched the licensed revolver 12 bore and 315 bore rifle of Nirvair Singh. Even they snatched Rs.1500/- from the pocket of Nirvair Singh and they started giving beatings to him with their dasti weapons. When the complainant went forward to rescue him, on this, Maan Singh with intention to kill him inflicted his *datar* blow upon him



but the complainant slipped and the datar blow landed on upper side of his right ankle. Then the accomplices of Maan Singh also inflicted injuries upon him with their respective dangs and spears. Due to *raula*, residents of the City started getting there and then they were left by the accused persons. Thereafter, he and Nirvair Singh were taken to the Civil Hospital, Sultanpur Lodhi. The request was made to take the legal action against all the accused. On registration of FIR, investigation commenced. The petitioner was arrested on 16.03.2024. The petitioner approached the Learned Sessions Judge, Kapurthala, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Sessions Judge, Kapurthala vide order dated 21.08.2024. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner contends that the petitioner, although named in the FIR in question, has not been attributed any injury and the only role attributed to the petitioner is that he caught hold injured-Nirvair Singh from his arms. He has submitted that the case of the petitioner is at par with that of co-accused, namely, Jagsir Singh @ Jagga Singh, who has already been granted bail vide order dated 02.04.2025 passed in CRM-M-24651-2024. He submits that the petitioner is in custody since 16.03.2024. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioners. She, on instructions, has submitted that out of total 10 prosecution witnesses, none has been examined so far. It is submitted that challan stands presented on



05.04.2025 and charges are also framed. She has produced the custody certificate of the petitioner. She has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Jagsir Singh @ Jagga Singh.

5. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest. As submitted out of total 10 prosecution witnesses, none has been examined so far. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 04 months and 04 days as on 20.07.2025. Challan already stands presented and charges have been framed. Co-accused, namely, Jagsir Singh @ Jagga Singh is on bail and the case of the petitioner as stated is at par with him.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeed in making out a case for grant of regular bail. Accordingly, present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

21.07.2025

ps-I

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