

2025:PHHC:044149



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

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CRM-M-5594-2025

Date of decision: April 01, 2025

GURLABH SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Brar, Advocate
for the petitioners.

Mr. Shiva Khurmi, AAG, Punjab
with Inspector Guranditta Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioners in case FIR No.146 dated 14.09.2024 (Annexure P-1) under Sections 109, 351(3), 191(3), 190, 111(2)(b) of BNS, 2023 (Section 61(1)(2) of BNS added later on) and Section 25 of Arms Act and Sections 4/5 of Explosive Substances Act, 1908, registered at Police Station Sadar Faridkot, District Faridkot.

2. Learned counsel for the petitioners submits that the petitioner No.1 has been in custody since 19.09.2024 and petitioner No.2 has in custody since 20.09.2024. It has been submitted that false and fabricated allegations have been levelled against the petitioners. Learned counsel has submitted that although the petitioners are named in the FIR in question, however, no specific role, much less injury has been attributed to him; the only role, if any, attributed to them is allegedly having pelted stones towards the complainant party and the petitioners being part of the unlawful



assembly. Learned counsel for the petitioners has asserted that no doubt one fire arm injury has been sustained by the brother of the complainant, namely Hardeep Singh, however, the said injury has not been attributed to the petitioners. Learned counsel has further submitted that investigation in the present case is complete as challan already stands presented. It has been contended that there is little likelihood of the trial concluding in the near future as none of the 18 prosecution witnesses have been examined till date and charges have also not yet been framed. Learned counsel submits that in the facts and circumstances, keeping in view their long custody period, no useful purpose would be served in still keeping them behind bars as the trial would take considerable time to conclude. It has also been brought to the notice of this Court that identically placed co-accused Mangal Singh @ Manga Singh have already been extended the concession of regular bail by this Court vide order dated 17.01.2025.

3. Learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute the fact that no specific role, much less injury has been attributed to the petitioners. Learned State counsel has also not disputed that the fire arm injury sustained by injured Hardeep Singh, has not been attributed to the petitioners but to co-accused Love, with whom the complainant allegedly had some previous history of animosity. On further instructions, learned State counsel has also not disputed the custody period of the petitioners and the stage of trial.

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4. On a further query put to the learned State counsel, he, on instructions, has submitted that the petitioners have clean antecedents and are not involved in any other criminal case.

5. I have heard learned counsel for the parties and perused the relevant material placed on record.

6. As not disputed by the learned State counsel, no specific role or injury has been attributed to the petitioners. Investigation in the case in hand is complete as challan stands presented. The likelihood of the trial concluding in the near future seems bleak.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to allow the instant petition, and extend the concession of regular bail to the petitioners.

8. The petition as such is allowed, and the petitioners be admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add here, in case the petitioners are found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to them.

April 01, 2025*Jaspreet Kaur***(MANJARI NEHRU KAUL)****JUDGE***Whether speaking/reasoned* : *Yes/No**Whether reportable* : *Yes/No*