



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-5302-2025
Date of decision: 09.07.2025

GURDIAL ALIAS GURDIAL SINGH GILL @ LAADIPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Davinder Singh, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
GURDIAL ALIAS GURDIAL SINGH GILL @ LAADI	181	19.10.2024	304,307, 111, 112, 3(5) of BNS (offence under Sections 303(5) and 317(2) of BNS have been added later on)	Salem Tabri, Police Commion erate	District, Ludhiana

2. As per the allegations levelled by the complainant-Deepika on 18.10.2024, when she was going to her house at about 8:30 PM in a routine manner by auto-rickshaw, she asked the driver that she wants to alight down from the auto-rickshaw but instead of stopping the vehicle, driver speed up the same



and the young person wearing white shirt already seating in the auto-rickshaw put his hands on her mouth and snatched her mobile phone make Real MC-11 having No.77175-02842 by pointing knife towards her and through her out of the auto-rickshaw.

During the course of investigation, petitioner GURDIAL ALIAS GURDIAL SINGH GILL @ LAADI along with one Sonu was arrested and from their possession one mobile phone Realme and another mobile phone Oppo Model CPH 2421 were recovered. Two Iron “*Daaf*” were also recovered from the auto-rickshaw.

As per the case of the prosecution, both the accused were also got identified from the complainant. Even the mobile phone as identified by the complainant was also recovered from them.

3. Learned counsel for the petitioner argues that petitioner is inside the jail since 19.10.2024 and identity of the petitioner is yet to be established by the prosecution witnesses in the witness-box, which definitely would be subject matter of cross-examination. The longer incarceration of the petitioner is not going to serve any meaningful purpose, as nothing is to be recovered from the possession of the petitioner.

He also submits that similarly situated co-accused Sonu had already been granted the concession of bail by the Additional Sessions Judge, Ludhiana, vide order dated 22.05.2025 and produces the copy of the same, which is taken on record. Thus prays for grant of regular bail.

4. On the other hand, learned State counsel does not dispute the factual position, as argued by the petitioner. However, submits that petitioner is involved in a serious offence and deserves no leniency.

5. On being asked by the Court, learned State counsel apprised the Court that though the investigation is complete and report is submitted but charges are yet to be framed and process of recording of the statement would be started thereupon.

6. Taking into consideration that petitioner is inside the jail for the last more than 08 months and progress of recording of statement of the witnesses has even not been started and one of the similarly situated co-accused Sonu had already been granted the concession of bail by the Additional Sessions Judge, Ludhiana, vide order dated 22.05.2025, I deem it appropriate to grant the

concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

9. Petition stands disposed of.

		(SANJAY VASHISTH)
		JUDGE
09.07.2025		
amandeep	Whether speaking/reasoned.	: Yes/No
	Whether Reportable.	: Yes/No