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

**CRM-M No.6146 of 2025
Date of decision : 30.07.2025**

Gurwinder Singh @ Binder Singh**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. Shehbaz Thind, Advocate for
Mr. Vidul Kapoor, Advocate
for the petitioner.

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

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.162, dated 03.11.2024, under Sections 109, 115(2), 190 & 61(2) of BNS, 2023, registered at Police Station Sadar Jagraon, District Ludhiana Rural, Punjab (Annexure P-1).

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Jugraj Singh @ Ladi. It was alleged that he was elected Sarpanch of the village and on account of which, Sukhdev Singh, Ex-Member, Panchayat and his accomplices, namely, Karnail Singh @ Raju, Amarjit Singh, Binder Singh (petitioner) and Peeta Singh were keeping grudge against him. Hence on



01.11.2024, on the day of Diwali, they all encircled the nephew of complainant, namely, Manvir Singh and started beating him. The accused including the petitioner were started giving the fist blows to him and thereafter Binder Singh (petitioner) caught hold of Manvir Singh whereas Karnail Singh @ Raju hit his nephew, namely, Manvir Singh with stone on his face with intention to kill. His nephew suffered injuries on the neck and right eye and some internal injuries. He was shifted to the Hospital. Thus the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. The petitioner was arrested on 08.11.2024. On the completion of investigation, the challan was presented and on framing of the charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Ludhiana declined the petition filed by the petitioner vide order dated 08.01.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case because of the rivalry in the village due to the Panchayat elections. He has submitted that even otherwise the allegations made against the petitioner are that he caught hold the injured, Manvir Singh, i.e. the nephew of the complainant. He has submitted that no offence as alleged under Section 109 of BNS is made out against the petitioner. He has submitted that the similarly situated co-accused, namely, Sukhdev Singh, Gurpreet Singh,



Paramjit Kaur, Harpal Kaur, Harbans Kaur @ Banso and Amarjit Singh have already been granted the concession of bail by this Court vide order dated 07.04.2025, 08.04.2025, 22.01.2025, 07.04.2025, 10.01.2025 and 24.01.2025, respectively. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that the petitioner along with co-accused has formed unlawful assembly and with the intention to kill Manvir Singh, i.e. the nephew of complainant, all of them had played an active role in committing the offence. She, on instructions, has submitted that out of 12 prosecution witnesses, no witness has been examined so far. She has placed on record custody certificate of the petitioner dated 28.07.2025 today in the Court.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner has been alleged to have given the fist blows and thereafter caught hold of injured, Manvir Singh. The injury alleged to be falling under Section 109 of BNS was against the co-accused. Custody certificate produced would show that the petitioner has completed incarceration of 08 months and 16 days as on 29.07.2025. It further shows that the petitioner has no criminal antecedents as he has never been involved in any other case.



7. 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.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her 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.

30.07.2025

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(RAJESH BHARDWAJ)
JUDGE

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