



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-M-8802-2025
Date of decision: 07.08.2025

GURDAS SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. R.S. Mangat, Advocate for
Mr. Kamaldeep S. Sidhu, 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
GURDAS SINGH	176	12.07.2022	302 of IPC	City Malout	Sri Muktsar Sahib

2. In the present case, the complainant, Manjeet Singh, alleged that his daughter, Amandeep Kaur, was married to Sucha Singh, son of Gurdas Singh, resident of Street No.1, Sandeep Nagar, Village Danewala, Tehsil Malout, District Sri Muktsar Sahib, Punjab, about 10 years ago. A child, namely Taramdeep Singh, was born out of the said wedlock. Father-in-law of Amandeep Kaur, i.e., Gurdas Singh, used to doubt her character.



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It is alleged in the FIR that on the day of the incident, the complainant, Manjeet Singh, along with his wife, Simarjeet Kaur, and son, Laxman, had gone to see his daughter, and upon reaching the gate of the house, he noticed that petitioner Gurdas Singh was pressing Amandeep Kaur's face with a pillow. However, upon seeing them, he ran away from the house.

3. Learned counsel for the petitioner contends that three of the eye-witnesses have already been examined before the learned trial Court, wherein, several contradictions have been noticed. The complainant has alleged in the FIR that on seeing the incident when they shouted, neighbours came at the spot of incident but none of them have joined in the investigation, nor has been produced before the Court.

Even the allegation is of smothering with pillow, but cause of death has been opined as asphyxia, due to injury No.1 i.e. on the neck part. Moreover, petitioner is inside jail for a period of more than 03 years and out of total 23 prosecution witnesses, only 06 witnesses have been examined till date.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 06.08.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has already been handed over to the counsel for the petitioner.

As per custody certificate, petitioner has already undergone 03 years months and 22 days period inside jail and there is no other case registered against him.

5. Learned State counsel submits that petitioner is the main accused and



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he has been seen by all the eye-witnesses, who supported the case of prosecution, therefore, no leniency shall be granted to the petitioner.

6. This Court has heard the learned counsel for the parties concerned, and has considered the submissions and noticed that petitioner is inside jail for a period of 03 years months and 22 days and out of total 23 prosecution witnesses, only 06 witnesses have been examined till date.

The technical aspects, as argued by the petitioner, need not to be examined at this stage, as on doing so may prejudice the rights of either side. Therefore, the said issue is left for the learned Trial Court to decide, based on the material evidence available before it at the conclusion of the trial.

7. Taking note of the aspect that material witnesses/eye-witnesses have already been examined and petitioner being inside jail for a period of 03 years months and 22 days and also the fact that around 17 prosecution witnesses are yet to be examined. Therefore, personal liberty of the petitioner cannot be curtailed for an indefinite period, 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.

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

9. 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.

10. Petition stands disposed of.

07.08.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No