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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

Date of decision: 12.05.2025

1. CRM-M-8879-2025

GURWINDER SINGH ALIAS BUNTY

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

2. CRM-M-9839-2025

AMANDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. A.S. Grewal, Advocate
for the petitioner(s).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Present petitions filed by petitioners namely Gurwinder Singh Alias Bunty and Amandeep Singh have been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 165 dated 25.10.2024, under Sections 110 BNS and Section 77 of Juvenile Justice Act, 2015, Section 238 BNS and Section 27 of NDPS, Act added later on, registered at Police Station Talwandi Sabo, Bathinda.

2. On 21.02.2025 in CRM-M-8879-2025, following order was passed:-



- 2-

“Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 165 dated 25.10.2024, under Sections 110, 238 BNS and Section 77 of Juvenile Justice Act, 2015 (Section 27 of NDPS, Act was added later on), registered at Police Station Talwandi Sabo, Bathinda.

Learned counsel for the petitioner submits that as per the case of the prosecution the allegation is of attempting to commit the offence which is culpable homicide by injecting the intoxicant to the child aged 13 years. Counsel submits that as per FSL report, no intoxicant is found in child, therefore, case of the prosecution falls on its own.

*Learned State counsel seeks some time to file status report.
Adjourned to 17.03.2025. “*

3. Subsequently, co-accused bail petition i.e. CRM-M-9839-2025 was ordered to be heard along with CRM-M-8879-2025, vide order dated 25.02.2025.

4. Counsel for the petitioner submits that the allegations which have been levelled against the petitioners are almost similar and suffers with a deficiency, lack of corroborative evidence. Even on conducting the dope test of the child Lakhwinder Singh, aged about 13 years, it was reported as negative, and thus prays for grant of regular bail.

Counsel further points out that both the petitioners are inside the jail since 26.10.2024 and there is no other substantive evidence with the prosecution, therefore, they be released on bail, as the case is highly doubtful and culmination of the trial will take a long time.

5. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the status report dated 11.05.2025 by way of an affidavit of Rajesh Snehi Batta, PPS, Deputy



- 3-

Superintendent of Police, Sub-Division Talwandi Sabo, District Bathinda has been filed on behalf of respondent-State in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

6. From para 7 of the said status report, it is noticed that the arguments addressed by the petitioner's counsel is almost found to be accepted by the State, wherein, it is mentioned that the Investigating Officer met with Paramjit Kaur (mother of the child) and thereupon got conducted the dope test of the said child. On obtaining the result it was found as negative.

7. Taking note of the allegations and reason of involving the petitioners as accused in the case and thereupon the stand taken by the respondent-State, which as on date cannot be considered against the petitioner's interest, prayer for bail made by the petitioners is hereby accepted and I deem it appropriate to grant the concession of bail to the petitioners.

Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their 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 petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

- 10. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
- 11. Both the petitions stand disposed of.
- 12. A photocopy of this order be placed on the file of the connected case.

12.05.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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