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

CRM-M-14520-2025

Date of Decision:31.07.2025

GURPREET SINGH

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Harjot Singh Mann, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.26 dated 18.03.2023, registered under Sections 279, 353, 186, 506, 336, 427 IPC 1860, and Section 25(2), 27, 29, 54, 59 of Arms Act, 1959, Police Station Khilchian, District Amritsar Rural.

2. The FIR in the present case was registered on the basis of the statement made by Inderjeet Singh, Incharge, CIA, District Amritsar Rural and the same has been reproduced below:-

“The SHO, Jai Hind, Today myself Inspector, Incharge, CIA, under the supervision of the Senior Superintendent of Police, by reaching at the spot prepared police parties. First Party of Police was being operated under the supervision of Sh. Tejbir



Singh-PPS/Superintendent of Police/PBI/ASR-R, alongwith second police party, consisting me-Inspector alongwith Sub Inspector Baljeet Singh-03; S.I. Balwinder Singh-917, S.I. Rupinder singh-1686, ASI Ranjeet Singh-1020, ASI Beer Singh-680, ASI Heera Lal-228, CT-2 Deepak Kumar-421; Ct Gurbhej Singh- 1428; Ct Kanbir Singh-1567, by riding in official vehicle bearing RC No: PB02-DY-6285 [which is being driven by ASI Kuldeep Singh-1347] & by riding in second vehicle bearing RC No: PB02-AS-2828 [which is being driven by Lovepreet Singh-1831] both parties as per the order the Senior Superintendent of Police, Amritsar Rural were present T-Point Turn, Rattangarh Barricading under special barricading. Time shall be around 9:30 PM, then Cars bearing RC No: HR72E-1818- Marka Merdease [in which Sh. Amritpal Singh son of Tarsem Singh, resident of village Jallupur Khaira) was sat on conductor seat and his uncle Harjeet Singh [Ex-Sarpanch of village Jallupur Khaira] was driving this car and second Car bearing RC No; PB10FF-0089-Marka Endeavor, which was being driven by Harminder Singh son of Daya Singh, resident of village Rajataal, police station Gharinda, in this car on conductor seat Ajaypal Singh son of Ashwani Kumar resident of village Singhewala, police station City South Moga & on rear Seat Gurbir Singh son of Karamjeet Singh, resident of Mohruwal, police station Mahalpur, District Hoshiarpur, Baljinder Singh son of Kewal Singh, resident of village Jagana, police station Bandur, District Barnala were sitting, beside this, two another cars i.e. One Endeavor & second Creta, in these cars Savreet Singh son of Jagwinder Singh resident of village Kheri Kalan, police station Sherpur, District Sangrur; Gurpal Singh @ Palla son of Raghbir Singh resident of Ramgarh, police station Bundair, District Bathinda; Amandeep Singh @ Jyoti son of Raghbir Singh resident of Dabwali, District Sirsa were sitting, these cars came from village Jallupur side, then I-Inspector with the help of colleague employees gave Indication to stop the cars, but drivers of these



cars and their riders instead of stopping their cars, run fast their cars rashly & negligently and broken barricading and I-SI with the help of police party tried to apprehend them, but these persons by moving their deadly weapons and by raising Lalkara ran fast their vehicles and went away towards Khadoor Sahib. Thus, Amritpal Singh and his companions by doing such type act have been committed crime of section 279, 186, 506, 336, 427 IPC and under section 25-27-54-59 of Arms Act. Thus, ruqa is written and is being sent to the police station through Ct Gurbhej Singh-1428 for registration of case. After registration of the case, FIR Number may be intimated and control room and Senior officers may be intimated. Special reports may be issued. Myself Inspector alongwith police team am departing towards Khadoor Sahib for the arrest of the accused. Sd/- Inderjeet Singh, Incharge, CIA, District Amritsar Rural, dated 18-03-2023, Place: T-Point Rattangarh, time: 11:30 PM.”

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been nominated as an accused on the basis of the disclosure statement suffered by co-accused. Even no role has been assigned to him in the present case. Learned counsel further contends that as per the case of the prosecution, the petitioner and others had hit the picket settled by the police. However, no police official had suffered any injury in the present case. The petitioner was arrested in the present case on 20.03.2023 and is in custody for the last about 02 years and 04 months. Learned counsel further submits that the petitioner is a first offender and was never involved in any other criminal case.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.



5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner is stated to be in custody for the last about 02 years and 04 months. Even in the occurrence, no police official or any other private person had suffered any injury. Further, challan has been presented against the petitioner, but the charge has not been framed against him. Thus, the conclusion of the trial may take quite a long time and the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

31.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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