



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-15176-2025
Decided on : 07.08.2025

Gurlal Singh alias Lallu . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH
PRESENT: Mr. Sukhcharan Singh, Advocate
for the petitioner(s).

Mr. Manjinder S. 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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurlal Singh alias Lallu	22	02.04.2024	324, 323, 307, 148, 149, 506 and 326 of IPC	Longowal	Sangrur

2. Learned counsel for the petitioner argues that the primary issue involved before the trial Court, requiring adjudication at the final stage, would be whether, in the given circumstances and in the light of the medical opinion, the offence under Section 307 IPC is made out or not. In case, ultimately it is found that the present case does not constitute an offence of attempt to commit murder, rather an act of causing grievous injury, all the offences would, in fact be triable by the Court of Ld. Magistrate, and accordingly, the quantum of sentence would also be considerably very less.

3. On similar lines, some of these arguments were noticed during



the hearing of the instant petition on 20.05.2025, and the following order was passed:

- “1. *Present petition has been filed by the petitioner, seeking grant of regular bail in case bearing FIR No.22, dated 02.04.2024, under Section(s) 324, 323, 307, 148, 149, 506 and 326 of IPC, registered at Police Station Longowal, District Sangrur.*
2. *Learned State counsel has filed status report dated 19.05.2025 in the Court today and the same is taken on record.*
3. *It is noticed that there is no specific injury on record that independently constitutes an offence under Section 307 of the Indian Penal Code (IPC). However, considering the nature of the weapon used and the injuries sustained by the victim, the requisite intention to commit murder has been inferred, and accordingly, the offence under Section 307 IPC has been added.*
Furthermore, role attributed to the petitioner involves inflicting a gandasa blow on the head of the injured, Gurpreet Singh, with the alleged intention to kill him. The said injury has been classified as grievous; however, as per the medical opinion, the injury is not considered to be dangerous to life.
4. *It is also noticed that the co-accused, namely Gurlal Singh, son of Malook Singh (there are two accused bearing the name Gurlal Singh), who was armed with a gandasa and is alleged to have inflicted an injury on the neck of the injured Gurpreet Singh, has already been granted bail by this Court, vide order dated 19.11.2024, passed in CRM-M-56408-2024 (Annexure P-5).*
5. *At this stage, it is brought to the Court's attention that none of the prosecution witnesses has been examined, so far.*
6. *List again on 07.08.2025.*
7. *In the meantime, trial Court is directed to record the statements of the material witnesses, including that of the injured, on the date already fixed before it or on any other date as may be convenient to the Court. However, this exercise shall be carried out without any undue delay, and, in any case, prior to the next date of hearing fixed before this Court.”*

Counsel for the petitioner reiterates his submissions and prays for the grant of bail.

4. On the other hand, learned State counsel, while opposing the prayer for bail, submits that since a *Gandasa* blow was given on the head of the injured/complainant, the intention to cause murder can reasonably be inferred. However, he is unable to counter the argument of the petitioner's counsel that there is no specific medical opinion stating that the injury was dangerous to life or that the injured would have died in the absence of timely medical aid.

5. On being asked by the Court, learned State counsel submits that



out of the total 29 prosecution witnesses cited, only 5 have been examined so far, including one material witness, namely Paramjit Singh.

6. Heard.

7. Taking into consideration the overall circumstances of the case, and the fact that the issue as to whether the offence punishable under Section 307 IPC is attracted or not is yet to be adjudicated by the trial Court, as has been argued by the petitioner's counsel before this Court as well, I deem it appropriate, to not to curtail the liberty of the petitioner any further. Moreover, petitioner is in custody since 18.09.2024, i.e., for a period of about 11 months.

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. The observation made here-in-above 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. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 07, 2025

J.Ram

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