



CRM-M-18190-20241

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-18190-2024

Date of decision : 17.03.2025

Gurdeep Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Vipin Mahajan, Advocate, with
Ms. Chandanpreet Kaur Ahluwalia, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr.Jasjit Singh Saini, Advocate, for the complainant.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C., praying for grant of regular bail in case FIR No.51 dated 16.08.2023 under Sections 307, 452, 34 of IPC (Section 452/34 IPC added later on) and 25/27 of the Arms Act, 1959, registered at Police Station Kahnuwan, District Gurdaspur, Punjab.

2. Custody certificate of the petitioner has been filed on behalf of learned State counsel, the same is taken on record.

3. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case and there was a delay in the registration of the FIR. Learned counsel submits that petitioner is facing trial wherein out of 16 witnesses, 3 have been examined. However, they have turned hostile due to some settlement that has been arrived at as the complainant and the petitioner are immediate neighbours.



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Learned counsel further submits that the petitioner has undergone a period of 1 year, 6 months and 24 days as of today and there is no likelihood of the trial to be concluded in the near future. It has been further apprised to the Court that the petitioner is not involved in any other criminal case.

4. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner submits that the allegations against the accused/petitioner are serious in nature as he had fired gun shots with an intention to kill the complainant and prays for dismissal of the present bail petition.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. Once the investigation already stands concluded with the filing of *challan* and even charges have been framed so far, there would be no justification for extending the incarceration of the petitioner. Moreover, petitioner is not involved in any other criminal case and there is no likelihood of the trial to be concluded in the near future. Keeping in view the facts and circumstances as enumerated hereinabove, this Court deems it a fit case to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner is admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.



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8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(H.S. GREWAL)
JUDGE

17.03.2025
anil

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No