



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

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CRM-M-16767-2025

Date of decision: 25.04.2025

Gurjant Singh @ Sony

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Himanshu Arora, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Davinder Singh Saini, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0027 dated 20.02.2025 under Sections 118(1), 115(2), 127(1), 191(3), 190, 351(2) of the BNS, 2023 (Sections 109, 333 and 61(2) of the BNS, 2023 added lateron) registered at Police Station Sadar Patiala.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 21.02.205 and is being falsely implicated in the present case. It is contended that although the petitioner has been named in the FIR Annexure P-1, no specific role or injury has been attributed to him. While drawing the attention of this Court to the FIR, it is argued that it reveals that the petitioner is alleged only to have hurled abuses at the complainant, whereas it is the co-



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accused who are specifically alleged to have inflicted injuries with weapons. It is further submitted that the petitioner was unarmed and has no criminal antecedents, which renders him entitled to the concession of bail.

3. Per contra, learned State counsel assisted by learned counsel for the complainant, has opposed the prayer and submissions made by the counsel opposite, and argued that the petitioner was specifically named in the FIR and actively participated in the incident by abusing the complainant and also calling the other co-accused to the scene. It is submitted that the co-accused were armed and caused injuries to the complainant. However, it is fairly conceded by the learned State counsel, on instructions, that the petitioner was unarmed and no specific injury or act of violence has been attributed to him.

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

5. The petitioner has no previous criminal record. A perusal of the FIR indicates that while the petitioner is named, he is not alleged to have inflicted any specific injury or carried any weapon. The principal allegations of assault are directed against the co-accused. The alleged role of the petitioner is limited to abusive utterances without any overt-act.

6. Considering the nature of allegations against the petitioner, the fact that he was unarmed during the incident, the absence of any prior criminal antecedents, and in view of the fact that the challan is yet to be presented, which reasonably indicates that the trial is not likely to



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conclude in the near future, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be 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.

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.

25.04.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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