

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

**CRM-M No.21946 of 2025 (O&M)
Date of decision: 01.05.2025**

Varinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. J.K.Chauhan, Mr. Abhay Chauhan, Mr. Deepak Choudhary,
Mr. Dewak Grover, Advocates for the petitioner.

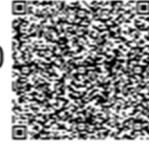
Ms. Manjot Kaur, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of bail pending trial to the petitioner in FIR No.207 dated 23.10.2024, under Sections 61(2), 103, 249, 253 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*); Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Beas, District Amritsar Rural.

(2) Custody Certificate dated 30.04.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

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(3) Allegations are that petitioner, along with co-accused, hatched a criminal conspiracy; harboured other co-accused, who in furtherance of their common intention, committed murder of one Gurdeep Singh @ Gokha (son of *de facto* complainant-Sarabjit Singh) and also criminally intimidated the complainant party

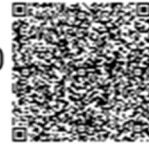
(4) Contends that petitioner was not named in the FIR; rather nominated on the basis of disclosures made by co-accused with the allegation that he had harboured three co-accused, namely, Gursharan Singh, Praveen Singh & Parasdeep Singh. Further contends that after investigation, final report under Section 193 BNSS has already been presented on 27.01.2025; but charges are yet to be considered. Specifically contends that there is no other criminal case pending against the petitioner.

(5) *Per contra*, learned State Counsel on instructions opposed the prayer while submitting that petitioner has committed a very serious crime while harbouring three accused, who allegedly committed the murder of Gurdeep Singh @ Gokha.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) There is no quarrel that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused, namely, Gursharan Singh, Praveen Singh & Parasdeep Singh; after investigation, report under Section 193 BNSS has already been presented on 27.01.2025; but charges are yet to be considered.

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(8) After hearing both sides, at best, petitioner can be held liable for harbouring the co-accused (Section 253 of BNS) and the maximum punishment prescribed for the offence would be seven years; but the same is bailable.

(9) In view of the above, there is no justification to prolong the incarceration of the petitioner any further.

(10) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(12) The above observations be not construed as an expression of opinion on the merits of case.

(13) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

1st May, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes