222 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28197-2025 (O&M)
DATE OF DECISION: 27.05.2025

GURMEET SINGH ALIAS MANGA

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr.P.S. Punia, Advocate,
for the petitioner.

Mr. Satjot Chahal, A.A.G., Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 483 of the '*Bharatiya Nagarik Suraksha Sanhita'*, 2023 for grant of regular bail to the petitioner in case bearing FIR No.16, dated 06.03.2025, under Sections 331 (3), 309 (4) and 62 of the '*Bhartiya Nyaya Sanhita*, 2023, registered at Police Station Maloud, Police District Khanna, District Ludhiana.

2. As per the prosecution version, the present FIR has been registered on the basis of statement of complainant-Harpreet Kaur to the effect that on 06.03.2025 at about 10:30 A.M, three unidentified persons armed with iron pipes and iron '*daah*' entered into her house and bolted the main gate from inside. They attacked upon her son and asked to give valuables which are lying in the house. In the meantime, the complainant rushed into the room, locked the door and raised hue and cry. Then neighbourers Lakhvir Singh, Jaspreet Singh, Bhinder Singh and passersby

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caught hold the accused persons. The petitioner along with other accused persons were apprehended at the spot.

3. Learned counsel for the petitioner has submitted that the petitioner is a relative of the complainant. He along with Taranjeet Singh had come to the house of the complainant for demanding back a sum of ₹15,000/- which was borrowed by the complainant as a hand loan. However, the complainant was constantly refusing to return the same and upon the petitioner asking to return the same, she has falsely registered the present FIR against the petitioner and his companions.

4. Custody certificate, dated 26.05.2025, of the petitioner has been filed by learned State counsel in Court today. The same is taken on record. As per the custody certificate, the petitioner has undergone 02 months and 18 days of actual custody.

4.1 Learned State counsel has also confirmed that the petitioner is not having any history of any other case.

5 I have heard learned counsel for the parties and have gone through the paper-book carefully.

6. The Investigation is complete and the final report (*'challan'*) under Section 173 Cr.P.C. has also been presented before the trial Court; the trial will take some time to conclude; keeping the petitioner in custody for indefinite time would not serve any purpose; and there is no apprehension of absconding the petitioner during the trial.

7. Keeping in view the above facts and circumstance of the present case, without making any comment on the actual merits of the case, the present petition is allowed. The petitioner is ordered to be released on

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regular bail, subject to his furnishing adequate bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. However, it is again made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case. It is also made clear that if the petitioner, in any manner, influences or threatens the complainant or the prosecution witnesses, the complainant/the State would be at liberty to approach this Court by way of filing an appropriate application/petition for cancellation of this order.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

MAY 27, 2025 **(HARPREET KAUR JEEWAN)**
nitin **JUDGE**

Whether Speaking Yes
Whether Reportable No

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