

S. No.217

2025:PHHC:106284



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

CRM-M-31904 of 2025

Date of Decision:18.08.2025

1. CRM-M-31904 of 2025

Gurdeep Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Prince Singh, Advocate for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

Mr. Hardeep Singh, Advocate for respondent

No.2- complainant.

Yashvir Singh Rathor, J. (Oral)

1. This is a first petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.0046 dated 11.04.2025 registered under Sections 304 and 3(5) of BNS, 2023 (Sections 309(6), 111, 317(2) of BNS were added and Section 304 of BNS was deleted later on) at Police Station City Khanna, District Khanna.

2. The present case was registered on the basis of complaint given to the Police by Mohinder Singh with the allegations that he is working as a Salesman at a Liquor Shop of Singla Group and Chadda Group. On 09.04.2025 at about 12:00 A.M., he closed the liquor shop and was returning to his house on his motor-cycle along with a sum of Rs.38,000/- which was being carried in the bag. On the way, five unknown persons started chasing him and surrounded him and he was



stopped. One of them hit him with a metal rod in his hand which hit on his elbow. He gave another blow which hit again on his elbow and the other persons who were also armed with deadly weapons, started coming towards him. They grabbed a sum of Rs.38,000/- and his mobile phone and fled away from the spot. Thereafter, he cried for help but no one turned up and thereafter he went to his house and narrated the incident to his family members. He was taken to the hospital and given first aid.

3. During investigation, Sunil Kumar, Gurdeep Singh, Dipish Kumar Roop Chand and Kanwaljit Singh were arrested. After completion of investigation, challan was presented on 07.07.2025.

4. Learned counsel for the petitioner has argued that offence has been committed by unknown persons and no one has been named in the FIR. No Test Identification Parade has been got conducted. A writing has been executed by complainant to the effect that petitioner – Gurdeep Singh and another accused, namely, Dipish Kumar were not involved in the said occurrence. Learned counsel next contended that final report has already been presented. The trial is likely to take sufficiently long time to conclude and his further detention is thus not required and he may be released on bail.

5. On the other hand, learned State Counsel has opposed the bail and argued that the trial is at initial stage and in case, petitioner is released on bail, he will try to win over and intimidate the witnesses.



6. However, learned counsel appearing for the complainant has admitted the factum of compromise/ writing executed between the complainant and the petitioner, which has been placed on file.

7. No one has been named in the FIR. Even physical features, age, complexion and built too have not been mentioned. No Test Identification Parade has been got conducted and the complainant has furnished in writing that petitioner was not amongst the assailants. In these circumstances, it will be a debatable question during the trial as to whether the petitioner is involved in the occurrence or not. Petitioner is in custody since 14.04.2025. Investigation has already been completed and trial is likely to take sufficiently long time to conclude and in the circumstances, further detention of the petitioner is not required.

9. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(Yashvir Singh Rathor)
Judge

August 18, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No