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

CRM-M-39072-2025

Date of Decision:28.07.2025

GURWINDER SINGH ALIAS JOLLY

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Adish Jain Advocate
for the petitioner (Through V.C.).

Mr. Navdeep Singh, Deputy A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.152 dated 04.06.2023, registered under Sections 323, 324, 341, 506, 427, 148 & 149 IPC 1860 with subsequent addition of Sections 307 and 326 IPC on 26.07.2024, Police Station Zirakpur, District SAS Nagar.

2. The FIR in the present case was registered on the basis of the statement made by Prince Kalra, who alleged that at about 2:25 AM on 04.06.2023, when the complainant and his friends Gaurav Verma and Bhaskar Verma were going to PGI Chandigarh to enquire about the health of the father of Shubham, they were signalled to stop by a Wagon R car. They did not stop



the car and the occupants of the Wagon R car started following them. They took U-turn from Dhakoli Baltana light point, where another car make Swift Dzire started following them and on the way they noticed that one more car was also following them. They were surrounded by 3 cars and 12/13 young boys armed with weapons and opened murder assault upon them.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 26.07.2024 and is in custody for the last 01 year. He further contends that the injured in the present case has already been discharged from the hospital. Challan was presented against him on 24.10.2024 and charged was framed on 21.01.2025. Now, the prosecution witnesses are intentionally not appearing before the trial Court, so that the petitioner may continuing in custody for a longer period.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that there is no other case against the petitioner.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner is in custody for the last more than 01 year and no witness has been examined so far. The prosecution is yet to prove the involvement of the petitioner in the crime before the trial Court. Thus, the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his



furnishing bail bonds and surety to the satisfaction of the concerned trial Court/
Duty Magistrate/Chief Judicial Magistrate.

28.07.2025
vipin

(N.S. SHEKHAWAT)
JUDGE

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