

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:110319



CRM-M-42963-2025 (O&M)

Reserved on:13.08.2025

Date of decision:19.08.2025

Gurnam Singh @ Gama

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nitin Narula, Advocate for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.0142 dated 30.12.2024, registered under Sections 309(4), 3(5) of the BNS, at Police Station Ramdas, District Amritsar Rural.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Ravi Sharma alleging therein that he was working as salesman at Randhawa Filling Station, Amritsar. On the evening of 29.12.2024, he was going towards the petrol pump and when he reached near the same, suddenly, three youths riding on a black coloured Hero Splendor motorbike came from behind. They intercepted him. One of them took out a sharp edged weapon from his waist and opened an attack with the same upon the complainant. The weapon hit on the back of his right

hand. One of them caught hold of the complainant and the third youth took away his phone and cash amount of Rs.1000/- kept in the pocket of his pant and thereafter all three of them fled on their bike. The complainant alleged that he had raised alarm and his employer had rushed to the spot. They made inquiries and came to know that the petitioner along with the co-accused Gurpreet Singh @ Gopi and Prabhdeep Singh @ Pappa were involved in the occurrence. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 31.12.2024. Investigation now stand completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No injuries were sustained by the complainant. Infact there was a dispute between Gurburan Singh, employer of the complainant and co-accused Prabhdeep Singh @ pappa who was previously working as an employee at the petrol pump of the former and neither the complainant nor any other co-accused were named in the initial statement as recorded by the complainant and it was only subsequently that their names were mentioned in the complaint. No specific role has been attributed to him. He is in custody since 02.01.2025. The trial will take considerable time to conclude. His further incarceration is not going to serve any useful purpose. He has clean antecedents. Co-accused Prabhdeep Singh @ Pappa has been extended benefit of bail. On parity, he too deserves to be given the same benefit. It is, therefore, urged that he deserves to be released on bail.

4. Per contra, it is argued by learned State counsel that keeping in view the gravity of the allegations, the petitioner does not deserve to be

extended benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. The petitioner is in custody since 02.01.2025. The trial has commenced but will take considerable time to conclude since no witness has been examined so far. The petitioner does not have any criminal antecedents. The co-accused, whose case is on similar footing has also been extended benefit of bail.

7. Keeping in view the above discussed facts, but without meaning to make any comment on the merits of the case, lest the same prejudice the trial in any manner, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

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

19.08.2025

harjeet

(MANISHA BATRA)
JUDGE

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