



CRM-M-49115-2025 (O&M)

1

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

4

CRM-M-49115-2025 (O&M)

Reserved on : 09.09.2025

Pronounced on : 11.09.2025

Guri @Gurwinder Singh @Alto

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Himanshu Garg, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG Punjab.

SURYA PARTAP SINGH, J.

1. This is first petition filed by the petitioner, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for regular bail. The present petition has been filed with regard to a case arising out of FIR No.16 dated 12.03.2025 under Sections 109, 115(2), 118(1), 191(3), 126, 351, and 3(5) of the Bharatiya Nyaya Sanhita, 2023, Police Station Sherpur, District Sangrur. The application for bail filed by the petitioner before the Court of learned Additional Sessions Judge, Sangrur has been dismissed vide order dated 28.07.2025. The petitioner is in custody since 21.04.2025, and therefore, craving for bail.

2. Succinctly, the facts emerging from the record are that the abovementioned FIR came into being on the statement of Jaswinder Singh,



CRM-M-49115-2025 (O&M)

2

hereinafter being referred to as 'complainant'. In the abovementioned complaint dated 12.03.2025, it was stated by the complainant that on previous day, i.e. on 11.03.2025, Aakash had hurled abuses, for him, on phone and he had recorded the abovementioned act of Aakash. According to complainant on 12.03.2025 at about 08:30-09:00 am, when on the call of Aakash, he went near the gate of school, he saw that Honey, Tirath Singh armed with khanda (sharp-edged weapon), Harry, Gursewak Singh, Amritpal Singh, Baba, Guri (petitioner) and Aakash armed with dah (sharp-edged weapon) and rods were present there. As per complainant, on his arrival, Tirath Singh retorted that because of him (complainant) their brother Gaggi has been fixed in a case for being in possession of narcotics. According to complainant, upon the abovesaid call of Tirath Singh, Aakash extorted to teach him a lesson. It was further alleged by the abovenamed complainant that thereafter, all of them launched an attack upon him, and inflicted multiple injuries on his person.

3. According to complainant, in the abovementioned incident, Honey had inflicted a blow on the right side of the head of complainant, with the help of kirpan (sword), whereas Tirath Singh with an intention to kill injured the complainant's head, with the help of khanda, and other persons inflicted injuries on other body parts of the complainant.

4. Heard.

5. It has been contended on behalf of petitioner that the petitioner has no nexus, whatsoever, with the commission of crime, and that he has



been falsely implicated in the present case. According to learned counsel for the petitioner, the petitioner has no criminal history, and that he is already in custody for a period of 4 months and 18 days, and facing the agony of incarceration without any fault. It has also been argued by learned counsel for the petitioner that the injury on the vital part of the victim has not been attributed to the petitioner, and that the victim has already been discharged from the hospital.

6. As per learned counsel for the petitioner, three co-accused namely Amritpal Singh, Gursewak Singh and Amanjot Singh have already been afforded the benefit of bail by the Coordinate Benches of this Court by virtue of orders dated 28.05.2025, 07.07.2025 and 14.07.2025, respectively. Claiming parity, the learned counsel for the petitioner is seeking the benefit of bail for the petitioner also.

7. *Per contra*, learned State Counsel has argued that allegations against the petitioner are of serious nature as they were members of a party which entered into a conspiracy, prepared a plan to kill the complainant and thereafter, in execution of that conspiracy, launched an attack and tried to kill the complainant. According to learned State counsel, irrespective of the fact that the serious injuries have not been attributed to the petitioner, being member of the party having common conspiracy, he is equally liable and therefore, not entitled for the benefit of bail.

8. The record has been perused carefully.



CRM-M-49115-2025 (O&M)

4

9. A perusal of record shows that in the present case, there are certain relevant aspects which needs to be taken into consideration, before arriving at any decision with regard to present bail application: Those aspects are: -

- a) That the petitioner is already in custody for a period of 4 months and 18 days;
- b) that any serious/grievous injury suffered by the complainant has not been attributed to the petitioner;
- c) that co-accused having same role have already been released on bail;
- d) that as per custody certificate, the petitioner has no criminal antecedents;
- e) that nothing is left to be recovered from the possession of petitioner;
- f) that trial is not likely to be concluded in near future;
- g) that detention of the petitioner in judicial lockup is not likely to serve any purpose; and
- h) that the benefit of bail has already been afforded to three co-accused, whose case stands under same footing.

11. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to the conclusion that the petitioner is entitled for the benefit of bail.

12. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed. The petitioner is hereby admitted to bail subject to his furnishing bail bonds to the satisfaction of



CRM-M-49115-2025 (O&M)

learned trial Court. In case, the concerned Court is not available on the given date, the learned Sessions Judge would be at liberty to assign the abovesaid case, for the abovesaid purpose, to any other Court.

(SURYA PARTAP SINGH)
JUDGE

SEPTEMBER 11, 2025
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No