

2025:PHHC:005694



245

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRM-M-63445-2024 (O&M)****Date of decision: 15.01.2025**

Gurpreet Singh @ Gudda Singh @ Guddu

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**Present: Mr. P.S. Sekhon, Advocate,  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

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**MANJARI NEHRU KAUL, J.**

1. The petitioner is seeking concession of regular bail under Section 483 BNSS, 2023 in case FIR No.51 dated 16.04.2023 under Sections 379-B, 323, 325, 341, 506, 201, 34 IPC (Offence under Section 307 IPC added lateron) registered at Police Station Moonak, District Sangrur.

2. Learned counsel for the petitioner submits that the petitioner has been languishing in custody since 02.05.2023 in a case of false implication. The petitioner has been attributed an injury with an iron *gandasi* on the left arm and right leg of the injured / complainant, who had already been examined. It has been further submitted that it is a matter of record that after the charges were framed on 06.09.2023, only one prosecution witness, out of the 25 witnesses cited by the prosecution, had

2025:PHHC:005694



been examined, hence, the petitioner deserves to be admitted to bail as there was no possibility of the trial concluding in the near future. It has also been asserted by learned counsel for the petitioner that since the sole material witness in the present case i.e. the complainant stands examined, there can be no apprehension of the petitioner tampering with evidence or influencing / intimidating the witnesses.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner, nor has it been disputed that as on date, only one prosecution witness i.e. the injured / complainant has been examined after the charges were framed way back in September 2023. However, the learned State counsel has reiterated the allegations levelled in the FIR in question, which has been annexed as P-1 and stands reproduced hereunder :

*“Duplicate statement: Chamkaur Singh son of Harnek Singh, resident of Balran, aged about 40 years, M No 80544-55990, stated that I am a resident of the said address and am engaged in agricultural work. On 15.04.2023 at about 6:20 P.M., I along with my wife Paramjit Kaur on my motorcycle number PB-08-DD-7241 brand Hero silver color were going to Jakhal Mandi to buy household goods. When we went about half a kilometer from village Balran to Jakhal side, from behind us, a car Alto color black got in front of my motorcycle and got out of the car of our own village Balran, Gudda Singh son of Jasvir Singh, Kala Singh son of Bhola Singh, Jasvir Singh son of Gora Singh residents of Balran and Gurlal Singh of Jawahar Wala who is the grandson our village. Abovesaid persons got out of the car and surrounded us, who were holding iron chopper (gandasi) and iron rods in their hands.*

2025-PHHC:005694



*Gudda abused me and said that today we will teach you a lesson for being an informer. And in no time, Gudda gave blow of iron gandasi held by him in his hand on my left arm. Next blow was given by Gurlal Singh who was standing next to him holding the iron rod in his hand who hit it on my right arm. Then Gudda again hit the iron Gandasi held by him on my right leg. I fell down on the ground. While I was lying on ground, Jasvir Singh son of Gora CHANDSingh hit my left leg with the iron rod held by him in his hand. Second blow was given by Jasvir Singh with the iron rod held by him in his hand on my left foot. Then Gudda took my mobile phone along with the sim from the pocket of my kurta with a force. Then Kala Singh son of Bhola Singh with the iron rod held in his hand hit me on the forehead. At that time, my wife abovesaid Paramjit Kaur raised the alarm by screaming loudly "marta-marta". Due to her screams, the said accused while threatening to kill us ran from the spot in their car along with thei, weapons. Then my elder brother Sukhvir Singh son of Harnek Singh and my nephew Baljinder Singh son of Jasvir Singh reached at the spot and called the government ambulance at the spot by calling number 108. Abosaid two persons and my wife Paramjit Kaur admitted me to the hospital at SDH Moonak, where Dr. Sahib referred me to CH Sangrur after giving me first aid, where my treatment is going on. Legal action should be taken against the said persons. The reason of enmity is that I often come to the police station as a respected person. These abovesaid persons are addicted to consuming and selling drugs and these persons had suspicion that they may be reported in the police station. The above statement has been given, heard and is correct. LTI/ Chamkaur Singh abovesaid, verified by SD/- Sukhveer Singh son of Harnek Singh resident of Balran xxxxx”*

2025:PHHC:005694



5. I have heard learned counsel for the parties and perused the relevant material on record.
6. The petitioner has been in custody for the last more than 1½ years having been arrested on 02.05.2023; the trial has come to a virtual standstill after the complainant was examined on 24.05.2024 and as 24 prosecution witnesses still remain to be examined, the trial would take considerable time to conclude.
7. In the facts and circumstances as enumerated here-in-above, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/ Duty Magistrate concerned. However, it is made clear that anything observed here-in-above shall not be construed to be an expression of opinion on the merits of the case.

15.01.2025

Satyawan

(MANJARI NEHRU KAUL)  
JUDGE

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