

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

215

2025:PHHC:176192



CRM-M-70834-2025 (O&M)

Date of decision: 19.12.2025.

GAGANDEEP RAM

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Jupinder Pal Singh Brar, Advocate,  
(Through Video Conference)  
for the petitioner.

Ms. Savi Nagpal, AAG, Punjab.

**VINOD S. BHARDWAJ, J. (Oral)**

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.85 dated 05.06.2024, under Section(s) 302, 307, 452, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 452 of IPC deleted later on), registered at Police Station Lambi, District Sri Muktsar Sahib.

Briefly summarized, the aforesaid FIR was registered on the statement of complainant Gurjant Singh son of Gurmeet Ram son of Tahila Ram, which reads as under: -

*“The deponent stated that I am a resident of the above-mentioned address and I work as a labourer. On 1.6.2024, the day of voting, a booth of the Congress Party was set up in front of the house of my uncle Manjeet Ram by the Congress Party. Dalip Ram, Sarpanch, son of Harbans Ram, who is associated with the Aam Aadmi Party, told my uncle and my father Gurmeet Ram not to allow the Congress booth to be set up in front of their house. My father and uncle told him that since the booth had already been set up, it could not be removed now. Hearing this, Dalip Ram, the Sarpanch, got angry, went away, and said that since you have not removed the Congress booth on my saying, you will have to face the consequences. On 4.6.2024, at about 6:30 PM, I, my father Gurmeet Ram, and my uncle Manjeet Ram were present at my uncle's house when the following persons from our village came there, all armed with deadly weapons Dalip Ram (Sarpanch son of Harbans Ram armed with a Gandasa, Malkeet Ram, son of Harbans Ram, armed with a sela, Boota Ram son of Hansa Ram, grandson of Sureina Ram armed with a dasta, Sandeep Ram son of Malkeet Ram, armed with a Stick, Sandeep Ram son of Harbans Ram, armed with a Stick, Gagandeep Ram son armed Ram of Kashmiri with a kirpan, Boota Ram son of Shankar Ram grandson of Thaja Ram armed with a Stick, Boota Ram son of Hansa Ram grandson of Faujha Ram armed with a Danda stick, Harbans Singh, son of Mall Singh (Chakkiwala) armed with a rod and Happy son of Satpal grandson of Amar Ram armed with a Danda, -all residents of Kakhawali village. All of them, armed with the above weapons came there shouting lalkaras and entered the house of my uncle Manjeet Ram. Then,*

*Dalip Ram (Sarpanch) told all of them that today they should teach a lesson to those who had dared to set up a Congress booth. Upon this, all of them, in consultation with each other, attacked my father Gurmeet Ram with their respective weapons and caused injuries on his left leg, left shoulder, left arm, left elbow, left forearm, left hand, left side of the forehead, and right leg. When my uncle Manjeet Ram tried to intervene and rescue him, Dalip Ram struck my uncle on the back of his head with his gandasa. I raised an alarm shouting "They are killing them!" Upon hearing the noise, nearby villagers started gathering, and then all the accused fled from the spot along with their weapons. Afterwards, I called my uncle Kashmir Ram, son of Degar, and arranged for transportation. I, along with my uncle's son Gursewak Singh, took my father Gurmeet Ram and my uncle Manjeet Ram for treatment to the Government Hospital, Lambi, accompanied by my uncle Kashmir Ram. When we were near village Lambi, all of the aforementioned accused persons again came there along with Jasvir Singh @ Tina, son of Begha Singh; Harshpinder Singh, son of Hardeep Singh, Ramesh Kumar, son of Mehnga Ram; and Amritpal Singh, son of Swaran Singh, all residents of village Panjawa. All of them again, in a planned manner, attacked my father Gurmeet Ram and my uncle Manjeet Ram with an intention to kill, inflicting further injuries on them. After assaulting them, they all fled from the scene on their respective vehicles. Then, I and Gursewak Singh got Gurmeet Ram and Manjeet Ram admitted to the Government Hospital, Lambi. As the injuries were severe, the doctor referred both of them to the Government Hospital, Bathinda, for further treatment. During treatment, due to the serious injuries, my father Gurmeet Ram succumbed to his injuries during the night. My uncle Manjeet Ram was referred to Neuro Centre, Bathinda for further treatment. The reason for this incident is that we had set up a Congress Party booth in front of the house of my uncle Manjeet*

*Ram on the day of voting. Due to this political enmity and grudge, all the above-mentioned accused persons, in conspiracy with each other, entered the house of my uncle Manjeet Ram and inflicted injuries on my father Gurmeet Ram and my uncle Manjeet Ram with the intention to kill them. At present, the dead body of my father Gurmeet Ram is lying in the Government Hospital, Bathinda. Legal action may kindly be taken against all the above-named accused persons.”*

Learned counsel appearing on behalf of the petitioner contends that, although as many as 14 persons were initially nominated as accused in the present case, the subsequent inquiry revealed the case to be one of over-implication, pursuant to which 8 persons were found to be uninvolved and were accordingly exonerated in the final report. He contends that no injury has been attributed to the petitioner and no recovery of any nature whatsoever has been effected from him, hence, the question as to whether the petitioner was merely a bystander or an active participant sharing a common intention with the assailants is a matter which can only be determined during the course of trial. He further submits that there is no material on record disclosing any motive attributable to the petitioner either to cause injury or to participate in the assault. He further submits that there are total 68 witnesses cited by the prosecution and only 02 witnesses have been examined so far. He contends that the petitioner is not involved in any other criminal case and that he is in custody since 17.05.2025 and therefore, has undergone an actual custody of 07 months.

State counsel, on the other hand, does not dispute the same.

Having heard the learned counsel for the parties and taking into

consideration the allegation levelled against the petitioner viz. lack of any attribution, absence of any recovery, the period of actual custody undergone by the petitioner, the stage of the trial as well as the clean antecedents of the petitioner, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

December 19, 2025.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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