

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:043308



203

CRM-M-5084-2026 (O&M)
Date of decision:18.03.2026

Gurjinder Singh @ Kaka

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Anand, Advocate for the petitioner.

Mr. Durgesh Garg, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case arising out of FIR No.19, dated 12.03.2025, registered under Sections 109 and 3(5) of the BNS and Sections 25 and 27 of the Arms Act (offence under Sections 308 (2), 351(2) and 61(2) of the BNS were added lateron vide Rapat No.24, dated 13.03.2025), at Police Station Majitha Road, District Police Commissionerate, Amritsar.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Vishal Soor on 12.03.2025, alleging that he was running a jewelery shop. On the same day, he had gone to his shop at about 10:40 A.M. in routine manner and was about to open his shop, when one youth reached there and fired a shot towards him by taking out a

pistol from his waist. The shot was missed. The complainant asked the reason for doing this and rushed for his rescue behind a car parked outside his shop. The said youth chased him and fired 03 more shots but he had a narrow escape. On clamour being raised by the complainant, the said youth fled from the spot along with his pistol but one cartridge had fallen on the road. On 13.02.2025, complainant recorded a supplementary statement qua demand of Rs.50 lakhs of ransom from him by some persons by making call on his phone and also produced recording of such calls received by him. He submitted that from his own sources, he had come to know that one Jaswinder Singh @ Monu R/o village Agwan and his brother Gurjinder Singh @ Kala, who were lodged in Gurdaspur Jail, had made threatening calls to him. Accused Gurjinder Singh @ Kala was joined into investigation of this case by securing his presence through production warrants and was formally arrested. The complainant recorded another supplementary statement on 05.04.2025, saying that the persons shown in the CCTV cameras installed outside his shop were Harwant Singh @ Harry and Jobanjit Singh. Both of them were also in custody in connection with some other case and joined into investigation by securing their presence through production warrants.

3. Accused Harwant Singh @ Harry suffered disclosure statement that his acquaintance Maninder Singh @ Billa @ Billa 420 was a member of gang of Laddi Nawanshahria and in a whatsapp group call made to him on 23.02.2025, Maninder Singh @ Billa @ Billa 420 had told him that they would supply a weapon with which he had to kill the complainant and that he would be paid money in lieu thereof. He disclosed that on 02.03.2025, he

was handed over one .32 bore pistol and 15 cartridges as well as a motorbike by co-accused Arman and Gurpreet Singh @ Gopi. He along with Arman and Jobanjit Singh had conducted recce of the complainant and on 12.03.2025 by taking a motorbike from co-accused Jagroop Singh, they had reached outside the shop of the complainant and had fired shots on the victim, who had managed to escape. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. At the time of commission of the subject offence, he was lodged in jail in connection with some other case and therefore, there was no question of his hatching any conspiracy or facilitating the commission of subject offences in any manner whatsoever. There is no direct incriminating evidence against him. No specific role has been attributed to him. He has been nominated only on the basis of supplementary statement of the complainant without there being any tangible material on record to connect him with the subject offence. He is in custody since 15.03.2025. Investigation already stands completed. No useful purpose would be served by keeping him behind the bars. The trial will take considerable time to conclude. It is, therefore, argued that the petitioner deserves to be released on bail.

5. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner and that there are chances of his absconding or intimidating the witnesses, if extended benefit of bail, he does not deserve to be extended the benefit of bail.

6. This Court has heard the rival submissions made by learned

counsel for the parties.

7. The petitioner is alleged to have hatched a conspiracy with his brother and co-accused to raise demand of ransom money from the complainant and to eliminate him. He was not named in the FIR and was nominated as such on the basis of supplementary statement of the complainant during the course of investigation. No specific overt act has been attributed to him. He has been in custody for a period of over 11 months. He cannot be denied benefit of bail due to his involvement in other cases. No fruitful purpose would be served by detaining him in custody anymore. There are no chances of conclusion of trial in near future as no prosecution witness has been examined so far. It is well settled proposition of law that bail is the rule and jail is an exception and the pre-trial incarceration should not be a replica of post conviction sentencing. The object of jail is to secure appearance of the accused during trial and it cannot be punitive or preventive. There is nothing on record to show that the petitioner may abscond or commit similar offences.

8. In view of the discussion as made above, this Court is of the considered opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the extent of two sureties in the like amount each, to the satisfaction of the learned trial Court/Duty Magistrate concerned, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when

his presence has been exempted by the trial Court. He shall surrender his passport, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

9. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

18.03.2026

harjeet

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

(MANISHA BATRA)
JUDGE