



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

216

**CRM-M-9772-2026 (O&M)
Decided on : 27.04.2026**

Gurjant Singh @Janta

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral)

This petition is the first petition for bail, filed by the petitioner under Section 483 of 'the Bharatiya Nagrik Suraksha Sanhita', 2023. It has been filed with regard to a case arising out of FIR No.92 dated 07.10.2017, for the commission of offence punishable under Sections 379B, 34 of Indian Penal Code, 1860 and Section 25 of Arms Act [offence under Sections 201 IPC added later on and Section 25 of Arms Act deleted later on], Police Station Khalra, District Tarn Taran.

2. The FIR of this case came into being at the instance of 'Gurpreet Singh' hereinafter being referred to as 'complainant' only. It was stated by the abovenamed complainant that on 05.10.2017 at about 05:30 P.M., he along with his neighbour Kuldeep Singh was going on a motorcycle (Honda Shine PB46-G-1030) towards village Pahuwind, and that on the way near the bus stand of village Kabokay, he slowed down the motorcycle. As per complainant, there a person, with muffled face, person came out from a



nearby room. According to complainant he was armed with a pistol and pointed it towards them, and that he was followed by two other muffled-faced persons, one armed with a kirpan and the other with a datar. The complainant further stated that one person, who was armed with pistol, threatened them to get searched, and the other two persons forcibly took away their mobile phones.

3. It is the case of the prosecution that in view of abovementioned statement, formal FIR of this case was lodged and the investigation taken up.

4. **Notice of motion.**

5. Mr. I.P.S. Sabharwal, DAG, Punjab appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. Custody Certificate as well as status report has been filed by learned State Counsel. The same be taken on record.

6. Heard.

7. In nut-shell, the facts emerging from record are that the petitioner is facing prosecution for the commission of abovesaid offence(s) since 2017. He was enlarged on bail in December 2017, and thereafter, he participated in the trial till 2024. When he failed to appear during the trial on 05.11.2024, his bail was cancelled and bonds were forfeited. Since the petitioner continued to be absent from the Court, he was declared proclaimed offender vide order dated 05.07.2025.

8. The record has been perused carefully.

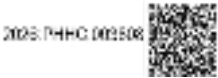


9. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that on 18.09.2025, the petitioner was re-arrested and since then he is in custody. The total period of the petitioner after re-arrest is more than seven months;
- ii. that the trial is not likely to be concluded in near future as out of 13 prosecution witnesses, only one has been partially examined till date;
- iii. that nothing has been left to be recovered from the possession of petitioner;
- iv. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- v. that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- vi. that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in the trial.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of fresh bail, and that the present petition deserves to be allowed.

11. Accordingly, without commenting anything on the merits of the case, the present petition is hereby ***allowed***. The petitioner is hereby ordered to be released on fresh bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-



- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

27.04.2026
Vinod

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