



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.229

CRM-M-15457-2026
Date of Decision: 08.04.2026

GURBIR SINGH

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

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

Mr. Hardeep Hans, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the BNSS, 2023 (corresponding to Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in FIR No. 354 dated 21.11.2025, registered under Sections 109 and 305 of the Bharatiya Nyaya Sanhita, 2023 (corresponding Sections 107 and 380 IPC), Section 25 of the Arms Act, 1959, with Sections 111 and 61(2) BNS (corresponding Section 120-B IPC) added later on and Section 3(5) BNS (corresponding Section 34 IPC) converted to Sections 191(3) and 190 BNS (corresponding Sections 148 and 149 IPC), at Police Station Civil Lines, Batala, District Batala.
2. Briefly, the case of the prosecution is that the complainant, who was running a mobile shop, had earlier received threats and subsequently, on the date of occurrence, two unknown persons/assailants came on a motorcycle and fired shots at him with pistols with an intention to kill. The bullets hit the shop causing damage and the complainant narrowly escaped.



On the basis of the statement of the complainant, the present FIR was registered and during investigation, the petitioner was nominated on the allegation that he had provided shelter to the main accused Kamaljeet Singh.

3. It is argued by learned counsel for the petitioner that there are no specific allegations against the petitioner except that he gave shelter to the main accused, Kamaljeet Singh. As per the contents of the FIR, two youth/boys came and fired shots upon the complainant with pistol with intention to kill, however, the petitioner was not one of them. Section 307 IPC is not attributed to him and he has been implicated in this case with the aid of Section 120-B IPC. No overt act has been attributed to him. Charges in this case have not been framed and he is in custody for the last three months. The trial is likely to take some time, therefore, he be released on bail.

4. On the other hand, learned State counsel has opposed the bail application mainly on the ground that the petitioner has been implicated with the aid of Section 120-B IPC and he played a crucial role by way of conspiracy. It is submitted that he harbored and protected the main accused involved in the heinous offence of firing with an intention to kill and, therefore, he should not be released on bail.

5. I have heard learned counsel for the parties and have gone through the record. It is not in dispute that no overt act has been attributed to the petitioner and the only allegation against him is that he provided shelter to the main accused Kamaljeet Singh. The petitioner is in custody for the last about three months and 21 days. The challan in this case has already been presented, however, the conclusion of trial is likely to take some time as no



prosecution witness has been examined till date. Without commenting on the merits of the case, and considering the nature of allegations, the role attributed to the petitioner, and the period of custody already undergone by him, no useful purpose would be served by keeping the petitioner in further custody.

6. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.

8. All pending applications, if any, also stand disposed of.

08.04.2026
Anu

(MANDEEP PANNU)
JUDGE

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