

2026:PHHC:062221



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

116+210

CRM-M-16736-2026
Date of decision: 23.04.2026

GURCHARAN SINGH @ GURI

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

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

Present: - Mr. Diwan S. Adlakha, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-17702-2026

Application is allowed as prayed for and Annexure P-6 is taken
on record.

CRM-M-16736-2026

1. The instant **second petition** has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 0158 dated 16.08.2025, registered under Section(s) 109 & 3(5) of BNS and Section 25 of the Arms Act, 1959 (Section 238 of the BNS and Section 27 of the Arms Act were added later on) at Police

Station Civil Lines Patiala, District Patiala, after the earlier petition had been withdrawn on 24.02.2026.

2. The FIR in the present case has been registered on the statement of Rajan Behl son of Gurdev Singh Behl. The same is extracted as under:-

“I along with second security guard Jatinder Singh son of Bahadur Singh resident of Chon Kala Police Station Sadar Patiala and other staff members of the street club were present on our duty. That around 10:30 P.M. four persons entered the street club, while sitting there they had alcohol and were performing bhangra on DJ around 11:30 P.M. that I along with Jatinder Singh went to them (4 persons) and kindly requested them to leave the club as it was time to close the club. Then these four persons said that they want to dance more on three four songs. Even after dancing for a long time they did not leave. Then I along with Jatinder Singh again requested them to leave as we had to close the club on saying so, one of the persons among those started arguing and abusing with me and Jatinder Singh. That all the said persons started pushing and shoving us. In the meantime, I stopped the DJ while above persons argued with me and Jatinder Singh came out from the club in the main lobby of the street club. One among the four persons immediately took out pistol which he was carrying and with the intention to kill fired a gunshot straight pointing at me which hit the upper side right arm muscle. After that, I immediately sat down and that person fired another shot at me. The bullet passed beside my stomach on the right side. Then I immediately ran inside the street club. The above person ran after me to kill me. He fired 3rd gunshot, which passed near my head and hit the sofa of the street club. After that, he fired 4th gunshot at staff of street club but even that shot did not hit anyone. Then all the persons ran from the spot along with their pistol. Due to injury on my upper right arm, a lot of blood came out, then the staff of the street club admitted me to Rajendra

Hospital, Patiala for treatment. Later I came to know about names of persons which were Guri resident of Sanour, Garry and Mansatvir Singh. But I did not know the name of 4th unknown person, whom I can identify if he comes in front of him. That against above mentioned persons Guri, Garry, Mansatvir and one other unknown person appropriate legal action may be taken.”

3. Learned Counsel appearing on behalf of the petitioner contends that no injury of any nature whatsoever had been attributed to the petitioner and even the said injury by fire arm was attributed to Mansatvir Singh Dhaliwal. He contends that after the withdrawal of the earlier petition for regular bail on 24.02.2026, the testimony of the complainant-injured Rajan Behl has been recorded and he has not supported the case of the prosecution qua the petitioner herein. He further contends that the petitioner is in custody since 16.08.2025 and that in view of the complainant not supporting the case of the prosecution, there would be arguable issues with respect to the participation of the petitioner in the commission of offence. He contends that the petitioner is not involved in any other criminal case.

4. Learned State Counsel does not dispute the submissions as noticed above and does not controvert that the injured complainant has not supported the case of the prosecution qua the petitioner herein.

5. I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

6. Without commenting further on the merits of the case and taking into consideration that arguable issues would arise with respect to involvement of the petitioner in the commission of offence after the injured

witness has not supported the case of the prosecution with respect to the petitioner and taking into consideration that no injury has been attributed to the petitioner and his clean antecedents as well as period of custody, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. 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.

9. 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.

APRIL 23, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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