

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34754-2025 (O&M)

Date of Decision: 09.03.2026

GURMEL SINGH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. D.P.S. Bajwa, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

Mr. Sunil Goswami, Advocate
for the complainant.

SANJAY VASHISTH, J. (ORAL)

Petitioner-Gurmel Singh, aged 25 years, has filed the instant petition under Section 483 of the BNSS for grant of regular bail in case FIR No.131 dated 09.10.2024, registered under Sections 103, 109, 115(2), 127(2), 191(2), 190, 140(1) of the BNS of 2023, at Police Station Alewa, District Jind, during pendency of trial.

2. As per the case of prosecution, the factual aspect is that the alleged incident occurred on 06/07.10.2024 yet the FIR was registered for the first time on 09.10.2024. The deceased-Bunty, passed away on 11.10.2024. Learned counsel for the petitioner argues that during the period Bunty was hospitalized, in an injured condition, no statement of him was recorded.

Notably, there is no evidence on record to suggest that the deceased was

medically unfit to give any statement. Since neither there is any direct evidence nor any specific allegation against the petitioner, learned counsel for the petitioner prays for grant of regular bail.

3. 'Power of Attorney' on behalf of complainant has been filed in the Court today and the same is taken on record, subject to all just exceptions.

4. Learned State counsel, produces the custody certificate dated 08.03.2026 as well as the status report by way of affidavit of Sh. Sanjay Kumar, HPS, Deputy Superintendent of Police, Uchana, District Jind in Court today, which are taken on record. Office to tag the same at appropriate place. Copies thereof have been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year 04 months and 23 days period inside jail and there is no other case registered against him.

5. On the other hand, learned State counsel, being assisted by SI Mr. Suresh Kumar of Police Station Alewa, District Jind and also by learned counsel for the complainant submit that this is a serious case in which the deceased was brutally beaten. However, despite being asked repeatedly, learned counsel appearing on behalf of the respondents has failed to point out any direct evidence linking the petitioner as a responsible person who caused the injuries, resulting in his death.

6. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds

substance in the submissions made by learned counsel for the petitioner by observing that as per the complaint, total 13 persons have been made accused, however, no specific role is attributed to anyone of them. Even as per the case of the complainant, it was co-accused Manjit only, who had given information to the complainant causing injuries to the deceased. Further, noticing the fact that the petitioner is already inside jail for the last more than a period of about 01 year and 04 months and is not involved in any other case. There are total 25 witnesses, out of whom, only one has been examined.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on

the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. Petition stands disposed of.

March 09, 2026
gurpreet

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No