



CRM-M-48653-2025

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

Date of Decision: 24.03.2026
CRM-M-48653-2025

SURINDER SINGH @ HAPPY @ GULLI PETITIONER

VERSUS

STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bipan Ghai, Senior Advocate with
 Mr. Nikhil Ghai, Advocate,
 Mr. Akhil Godara, Advocate and
 Ms. Malini Singh, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petitions under Section 483 BNSS is for the grant of regular bail in case bearing FIR No.48 dated 06.03.2021 (Annexure P-1) registered under Sections 302, 451, 452, 148 and 149 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Division No.8, District Police Commissionerate, Jalandhar.

2. The learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. All the material witnesses have turned hostile and have not supported the prosecution case. One Harvinder Singh @ Sonu, the only remaining material witness is not coming forth to depose in the case. The co-accused, namely Harpreet Singh @ Happy Bhullar has been granted the concession of bail by this Court vide order dated 08.05.2025 in CRM-M-43574-2024. As the petitioner is in custody since 24.04.2021 but only 03 of the 33 prosecution witnesses have

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been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he be granted the concession of regular bail.

3. The learned counsel for the State has filed custody certificate of the petitioner and the same is taken on record. He contends that the petitioner is one of the main assailants and is visible in the CCTV footage. Therefore, he is not entitled to the concession of bail as prayed for. He, however, concedes that all the material witnesses other than the Harvinder Singh @ Sonu have not supported the prosecution case, that a co-accused Harpreet Singh @ Happy Bhullar, who is similarly situated, has been granted the concession of bail by this Court vide order dated 08.05.2025, that the petitioner is in custody since 24.04.2021 and that only 03 of the 33 prosecution witnesses have been examined so far.

4. I have heard the learned counsel for the parties.

5. Admittedly, all the material witnesses have already stand examined, other than one Harvinder Singh @ Sonu, and none of the said witnesses have supported the prosecution case. Harvinder Singh @ Sonu is deliberately not appearing to depose in the matter and is stated to be abroad. Whether the remaining evidence is sufficient to affix the culpability of the petitioner shall be adjudicated upon during the course of the trial. The petitioner is in custody since since 24.04.2021 but only 03 of the 33 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required, moreso when a co-

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accused namely Harpreet Singh @ Happy Bhullar has been granted the concession of bail by this Court vide order dated 08.05.2025.

6. Thus, without commenting upon the merits of the case, the present petitions are allowed and the petitioners, namely, Surinder Singh @ Happy Gulli son of Sukhwant Singh is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. The petitioner shall appear before the Police Station concerned on the first Monday of every month till the conclusion of the Trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in the custody certificate dated 23.03.2026.

8. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. If the petitioner or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

24.03.2026

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