



CRM-M-51134-2025 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CRM-M-51134-2025
Decided on : 26.02.2026

GURINDER SINGH
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gagandeep Singh, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurinder Singh, aged about 22 years	0118	12.10.2020	302 of IPC and sections 25 and 27 of Arms Act, in which Sections 411 and 120-B of IPC have been added later on and challan has been presented under sections 302, 411, 120-B of IPC and 25/54/59 of Arms Act	Sanaur	Patiala



2. Learned counsel for the petitioner contends that deceased in the present case is Harneet Kaur, and FIR was registered at the instance of the complainant, namely Karamjit Kaur, who is mother of the deceased. The sole accused in the present case is petitioner-Gurinder Singh, who is the cousin brother of the deceased, being son of her *taya*.

3. As per the allegations, petitioner fired three shots at Harneet Kaur, who succumbed to the injuries sustained by her.

4. Counsel for the petitioner submits that petitioner is in judicial custody since 02.11.2021, i.e., for a period of about four years and three months. It is further submitted that in the present case, eye-witness namely Karamjit Kaur (mother of the deceased) and one Manjit Kaur (sister of Karamjit Kaur and maternal aunt of the deceased), have already been examined; however, they failed to support the case of prosecution and were thus declared hostile.

It is further contended that out of total 28 prosecution witnesses, only 05 have been examined so far, and therefore, conclusion of the trial is likely to take a considerable time. Thus, counsel prays for grant of regular bail to the petitioner.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 25.02.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

6. As per the custody certificate, in the present case, petitioner has already undergone 04 years 03 months and 19 days period inside jail.



7. Learned State counsel, while opposing the prayer and the submissions made by learned counsel for the petitioner, submits that petitioner is facing trial in other cases also and, in one such case registered under the Arms Act, he has already been convicted.

However, he is unable to deny the fact that complainant, Karamjit Kaur, has not supported the case of prosecution, during her testimony.

8. This Court has heard the submissions advanced by learned counsel for the parties and has perused the record available before it.

9. The sole eye-witness in the present case, namely Karamjit Kaur, at whose instance the FIR was registered, is mother of the deceased, Harneet Kaur. She has not supported the case of the prosecution during her testimony. In such circumstances, final adjudication of the trial would necessarily depend upon, other factual and circumstantial evidence, which may be proved on record. It may be that, if the forensic evidence, including the matching of bullets, is established, same may lend some support to the prosecution case.

As regards the involvement of petitioner in other criminal cases, it is noticed that he has been convicted in one other case, registered under the Arms Act and has already undergone his sentence period awarded therein. In another case, final adjudication is still awaited.

10. Moreover, in the present case, trial is progressing at a slow pace, as only 5 out of 28 prosecution witnesses have been examined so far. Consequently, conclusion of the trial is likely to take a considerable amount of time.



CRM-M-51134-2025

4

11. In view of the totality of the circumstances, the nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

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.

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

13. 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.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

26.02.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO