



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

106

CRM-M-57542-2025 (O&M)
Date of decision: 27.03.2026

Gurcharan Singh alias Jainty

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Raj Kumar Gupta, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.155 dated 24.10.2022, registered under Sections 307, 326, 325, 324, 506, 148, 149, 201 IPC at Police Station Shambu, District Patiala.

2. Learned counsel contends that the petitioner has been in custody for 1 year and about 11 months. He as well as Gurjant Singh, who has been attributed an injury, that has also been declared dangerous to life as in the case of the petitioner, has since been granted regular bail by this Court vide order dated 15.09.2025, Annexure P-4, after the lesser custody. Co-accused Sandeep Kumar and Vikram Kumar have been granted regular bail by the trial Court vide orders dated 03.07.2024 & 03.01.2025, Annexures P-2 & P-3 respectively. There is a delay of 3 days in lodging the FIR and it is also a counterblast to the FIR No. 213 dated 03.09.2022, under Sections 323, 504, 506 read with 34 IPC & 3 of SC/ST Act. Charges have been framed on 05.04.2025, however, out of 16 prosecution witnesses, only 1 has been examined. The petitioner is not



involved in any other case.

3. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having actively participated in the commission of offence, being a part of unlawful assembly and inflicted injuries over the head that was declared dangerous to life. However, he is unable to controvert the submissions with regard to custody, stage, co-accused having been granted bail and the petitioner being not involved in any other case.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 10 months and 26 days; not involved in any other case; co-accused are on bail; charges were framed on 05.04.2025, however, 15 more prosecution witnesses still remain to be examined, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.



- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

27.03.2026
M.Kamra

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