



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

CRM-M-63438-2025

Date of decision : 13.05.2026

Gurpreet Singh @ Gopi

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Jasinder Singh Sekhon, Advocate
for the petitioner.

Mr. Ekompal Sagoo, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.159 dated 31.08.2024, under Sections 109, 118(2), 118(1), 126(2), 115(2), 324(4), 191(3) and 190 of BNS, 2023 and Section 238 of BNS, 2023 added later on, registered at Police Station Sadar, District Hoshiarpur.

2. Succinctly, facts of the case are that FIR in the present case was registered on the statement of one Harmesh Kumar. It was alleged that on 27.08.2024 after getting free from the shop, he was coming back to his village on his motorcycle make Splendor bearing No.PB07-CE-4020. On the way, at about 10:30 pm, when he turned towards his village from Chandigarh Road then near the gate, Gurpreet Singh @ Gopi (present petitioner) armed with khanda, Gurinder Saini armed with sword, Gill armed with datar, Kaka armed with datar and Karan @Nanu armed with plastic pipe alongwith 3-4 unknown boys armed with sharp edged weapons were standing on the way. Gurinder Saini and Gill stopped the motorcycle of the complainant by showing him the weapons and Gurpreet



@ Gopi raised a lalkara to catch hold of the complainant and kill him. Gill gave a sword blow which hit the head of the complainant little above his forehead. Then Gurpreet @ Gopi gave two blows with khanda with intention to kill the complainant which landed on the middle and back side of the head. Then, Gurinder with intention to kill the complainant give two sword blows which landed on the left back side of the head and on his left hand raised by him to save himself. Then he fell on the ground and the unknown boys gave sword blows which hit little above his right ear and Gurinder Singh again gave a sword blow which hit on the back of his head. Then accused Kaka gave a datar blow which hit on his left ear and Karan @ Nanu gave a pipe blow which hit near the right eye of the complainant. The complainant raised alarm and passerby started gathering upon which the accused fled from the spot along with their respective weapons after damaging the motorcycle of the complainant. Then the complainant gathered strength and called his brother who admitted him at IVY hospital from where he was referred and admitted in Aman Hospital. Request was made to take legal action against the culprits. Thus, the FIR was registered and investigation commenced. Petitioner was arrested on 18.12.2024. He approached the Court of learned Additional Sessions Judge, Hoshiarpur praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 24.10.2025. Being aggrieved, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the similarly situated co-accused, namely, Gurinder Saini @ Gurinder Singh



has already been granted bail by this Court vide order dated 13.10.2025 passed by this Court in CRM-M-22611-2025. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He has also submitted that the petitioner is behind the bars since 18.12.2024. He has submitted that the prosecution is intentionally delaying the trial. He has contended that despite the order having been passed by this Court for examination of injured-complainant, the prosecution is filing the application for exemption only in order to prolong the incarceration of the petitioner. He has submitted that the petitioner is behind the bars from last more than 01 years and he has no criminal antecedents. He has further submitted that on the basis of the parity, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. However, he has endorsed the fact that case of the petitioner is at par with co-accused, namely, Gurinder Saini @ Gurinder Singh, who has already been granted bail by this Court. On instructions, he has submitted that challan has been presented, charges have been framed and out of 15 prosecution witnesses, none has been examined. He has produced custody certificate of petitioner, today in the Court, which is taken on record.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of her arrest. The custody certificate produced would show that petitioner has suffered incarceration of 01 year, 04 months and 25 days as on 12.05.2026. It further reflects that the petitioner is not involved in any other. Admittedly, co-accused of the petitioner, namely, Gurinder Saini @

Gurinder Singh, has already been granted bail by this Court vide order dated 13.10.2025.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity with co-accused, Gurinder Saini @ Gurinder Singh who has already been granted regular bail by this Court vide order dated 13.10.2025 passed in CRM-M-22611-2025. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

13.05.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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