



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRM-M-71541-2025
Decided on : 27.02.2026

Gurdas Singh @ Gurdashi . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rakesh Gupta, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurdas Singh @ Gurdashi	28	21.02.2025	109, 115(2), 331(6), 191(3), 190 of BNS, 2023	Patran	Patiala

2. As per allegations in FIR, which was got registered at instance of complainant – Nirpal Singh (Ex-Member Panchayat and President of De-addiction Committee), it has been stated that on 19.02.2025 at about 06:30 P.M., Village Panchayat was informed by co-villagers, namely, (i) Ramandeep Singh, (ii) Charanjeet Kaur, (iii) Sher Kaur and (iv) Kuldeep Singh, that accused (i) Gurdas Singh @ Gurdashi (**petitioner herein**), (ii) Sehaj Singh and (iii) Lakhwinder Singh were dealing in sale of drugs in village, and Panchayat as well as Drug De-addiction Committee had



restrained them from selling and consuming drugs.

It is alleged that on account of said opposition, petitioner – Gurdas Singh @ Gurdashi, armed with a gandasi, was moving in village and threatening members of Panchayat and Drug De-addiction Committee.

It is further alleged that when complainant and others went to persuade petitioner to stop such activities, an altercation took place, during which petitioner inflicted a gandasi blow on left hand of complainant – Nirpal Singh and another blow upon Ramandeep Singh. Both injuries suffered by complainant Nirpal Singh and Ramandeep Singh have been declared simple in nature.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 08.10.2025. It is contended that none of the injuries sustained by the victim have been declared dangerous to life and, therefore, the moot question before the trial Court would be as to whether the offence under Section 109 of the BNS, 2023 is attracted in the present case or not. Otherwise, all the offences are triable by the Court of learned Magistrate.

It is further submitted that the petitioner has no past criminal antecedents and has never been involved in any other case of similar nature, including under the NDPS Act. Accordingly, in view of the aforesaid facts and circumstances, learned counsel prays for grant of concession of regular bail to the petitioner.

4. On other hand, learned State counsel, while producing status report dated 24.02.2026 in Court today, opposes prayer for bail and submits that keeping in view nature of allegations and role attributed to petitioner, he does not deserve concession of regular bail at this stage.

However, learned State counsel fairly concedes that none of



twenty prosecution witnesses has been examined so far.

5. Heard.

6. Considering submissions made by learned counsel for parties and material available on record, it is evident that injuries attributed to petitioner have been declared simple in nature and none has been opined to be dangerous to life. Question as to whether offence under Section 109 of BNS, 2023 is attracted or not would be a matter to be examined during trial.

It is also not disputed that remaining offences are triable by Court of learned Magistrate. Petitioner is in custody since 08.10.2025 and none of twenty prosecution witnesses has been examined so far. Thus, conclusion of trial is likely to take considerable time. It is further noticeable that petitioner is not involved in any other case of similar nature in past.

7. Without commenting upon merits of case, and taking into consideration overall facts and circumstances, this Court deems it appropriate to grant concession of regular bail to 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/Illaq 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**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

February 27, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*