



224

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

CRM-M-32770-2024

Date of Decision:23.07.2025

Gurnoor Singh alias Noor

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

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

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.49 dated 10.06.2023 registered under Sections 307, 148, 149 of IPC and Sections 25 and 27 of Arms Act, at Police Station Qila Lal Singh, District Gurdaspur (Annexure P-1).

2. The FIR in the present case was registered on the basis of the statement made by Kuldeep Kaur and the same has been reproduced below:-

“Statement of Kuldeep Kaur W/o Gurmej Singh, R/o Chandu Manjh, aged about 50 years, stated that I am resident of abovementioned address and is doing household work. I have three sons namely Parambir Singh @ Nanak, Sunder Singh, Paramjit Singh @ Shally and one daughter namely Rajbir Kaur who is already married. Today on 09.06.2023 at about 5 pm, me and my son Parambir Singh @ Nanak were standing in the front of house on the road and were having talk, then one Verna car of white color

came from the Village Akarpura had reached near the pond then behind that motorcycle and one active scooty on which two persons were riding, who were carrying baseball in their hands, stopped near the car and 6-7 persons alighted from the car, who were carrying revolver and rifles in their hands. On alighting, they started firing and one boy directly fired a shot upon my son Parambir Singh @ Nanak, which hit on the left side chest of my son and my son fell down on the ground and blood started oozing and other of them started throwing bricks and stones. I raised hue and cry of *Maar Ditta Maar Ditta*, then in the meantime, my daughter-in-law Paramjit Kaur also came outside the house, on the spot and on hearing the noise of firing many persons started gathering there, then in the meantime above said persons ran away from the spot alongwith their respective weapons in their car; motorcycles and active. In the assailants, Rahul R/o Dalechakk, Manpreet Singh R/o Maman, Ravinder Singh @ Lamma S/o Dharam Singh, R/o Chatha, Gurnam Singh R/o Basant Kaur, Sukhnoor Singh @ Sukha, R/o Haruwal, Shera R/o Dera Baba Nank and Ranjit Singh @ Relu S/o. Joginder Singh, Mana S/o Mukhtar Singh, residents of Chandu Manjh, Gumoor @ Noor, R/o Rauwal and 5/6 other unknown persons' were present, to behind, the occurrence is that earlier also we had a fight and registered cases against each other. Me and my daughter-in-law Paramjit Kaur after arranging vehicle admitted my son at Civil Hospital, Batala, where doctor sahib due to serious condition of my son referred him to Government Hospital, Amritsar, but I admitted him myself at Amandeep Hospital, Amritsar and doctor started the, treatment, who is undergoing treatment. Statement is written which is correct. Action be taken. Sd/- Kuldeep Kaur.”

3. Learned counsel for the petitioner contends that in the FIR (Annexure P-1), only general allegations were levelled against the petitioner

and other co-accused. Later on, the statement of Parambir Singh @ Nanak was recorded, who alleged that the petitioner has fired a shot on his chest. Still further, the petitioner was arrested in the present case on 14.06.2023 and is in custody for the last more than 02 years and 01 month. Learned counsel further contends that charge was ordered to be framed in the present case on 09.12.2024 and the last 07 months, no witness has appeared before the trial Court, rather from various zimni orders passed by the trial Court, it is evident that every attempt has been made by the prosecution to delay the trial, so as to ensure a longer period of incarceration of the petitioner. Thus, the petitioner deserves to be enlarged on bail.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a hardened criminal and is involved in nine other cases. However, he admits that no witness has been examined so far by the trial Court.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the petitioner was arrested on 14.06.2023 and is in custody for the last more than 02 years. However, the prosecution has not been able to examine even a single witness so far. Moreover, the prosecution has not placed on record any material to indicate that the petitioner is in a position to influence the witnesses of the prosecution. Moreover, all other co-accused have already been granted the concession of bail in the present case and only the petitioner is in custody.

7. Thus, at this stage, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on

bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

23.07.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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