



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

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**CRM-M-35038-2024
Decided on : 08.07.2025**

Gurmeet Singh @ Mita

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Saurav Bhatia, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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 hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gurmeet Singh @ Mita	351	22.11.2022	34, 397, 201 of IPC & Section 25 of the Arms Act	City Ratia	Fatehabad

2. Learned counsel for the petitioner(s), *inter alia*, argues that;

- (i) Neither petitioner was named in the FIR, nor is there any description of him in the FIR.
- (ii) During investigation in case FIR No. 317, dated 08.11.2022, registered u/s 392, 397, 201, 34 of IPC and Section 25 of the Arms Act, lodged at P.S. Sadar Ratia, District Fatehabad, co-accused Arshdeep Singh @ Arsh, got recorded his disclosure statement, naming therein the involvement of one Krishan



Singh @ Golu, as accused in the present case, i.e., FIR No.351, dated 22.11.2022.

Upon arrest, said Krishan Singh @ Golu also made a disclosure statement implicating the petitioner Gurmeet Singh @ Mita, stating that Arshdeep Singh @ Arsh, Krishan Singh @ Golu (himself) and the petitioner were involved in the incident of looting in the present case.

- (iii) Co-accused – Arshdeep Singh @ Arsh has since been released on regular bail by the trial Court vide order dated 07.12.2023 and other co-accused – Krishan Singh @ Golu, has also been granted concession of regular bail by the High Court, vide order dated 02.12.2023, passed in CRM-M-44060-2023 (Krishan Singh @ Golu v. State of Haryana).

In support of his contention, learned counsel supplies the photocopies of both the aforesaid orders, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Learned counsel, thus, submits that no specific role has been attributed to the petitioner. Therefore, considering the total period of incarceration of more than 1 year and 8 months, petitioner is entitled to the concession of regular bail.

3. On the other hand, learned State counsel, while opposing the prayer, submits that it is the petitioner alone who has been specifically alleged to be armed with a .315 bore pistol and to have pointed the same at the victim.

However, on being asked by this Court, learned State counsel



fairly conceded that out of 26 cited prosecution witnesses, none has been examined so far. He is also unable to dispute the fact that the aforesaid co-accused have already been granted bail.

4. I have heard learned counsel for the parties and perused the material available on record.

5. Upon consideration of the submissions advanced on behalf of both sides, and keeping in view the total period of custody of the petitioner, which is more than 1 year and 8 months, coupled with the fact that none of the prosecution witnesses has been examined till date, I find it appropriate to consider the plea of liberty of the petitioner.

Further, as apprised by the learned State counsel, this Court is well conscious of the fact that petitioner is involved in several other criminal cases, but said circumstance are yet to be examined by taking note of the fact on record that co-accused Arshdeep Singh @ Arsh, who was arrested at the first instance in some other case, i.e., FIR No. 317, dated 08.11.2022, registered u/s 392, 397, 201, 34 of IPC and Section 25 of the Arms Act, lodged at P.S. Sadar Ratia, had never named the petitioner being his associate in the incident, upon which, FIR in question was registered.

6. In the given circumstances, and considering the fundamental right to personal liberty, as well as the fact that similarly situated co-accused have already been granted the concession of regular bail, I deem it just and proper to allow the present petition.

7. Accordingly, 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.



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. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

July 08, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No