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

CRM-M No.55387 of 2025

Date of Decision: 16.10.2025

Gurjit Singh @ Gurjant @ Guri

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sidhant Vermani, Advocate
for the petitioner (through video conferencing).

Ms. Simran Gorla, Asstt. A.G., 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.161, dated 01.06.2022, under Sections 302, 307, 148, 149, 379-B, 120-B, 201 of Indian Penal Code, 1860 read with Sections 25 & 27 of Arms Act, 1959, registered at Police Station 'Cantonment', District Amritsar.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Lakhwinder Singh. It was alleged that on 01.06.2022, he received an information that his son Lovepreet Singh (deceased) and his friend Gursimran Singh had received fire arm injuries and they were admitted in Amandeep Hospital. On receiving the information, the complainant along



with his relatives reached Amandeep Hospital, where he found that his son, namely, Lovepreet Singh, already died during the treatment. On enquiry, he came to know that Gursimran Singh was having friendship with one girl, namely, Simran Bala, due to which, a quarrel occurred with Gurjit Singh @ Gurjant (petitioner), Manjinder Singh, Guri, Ravinder Singh and their two unknown associates and on account of the same, the fire arm injuries to his son Lovepreet Singh and his friend Gursimran Singh were inflicted. Request was made to take legal action against the culprits. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 04.02.2023. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail. However, after hearing both the sides, the learned Additional Sessions Judge, Amritsar finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 11.09.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for grant of bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that from the allegations made in the FIR, crux of the whole case as alleged is that Gursimran Singh was having friendship with one girl Simran Bala. He has submitted that during the investigation, it has been found that deceased, namely, Lovepreet Singh was fired upon by Jagjeet Singh @ Jota, whereas, against the petitioner, allegations are to the effect that he exhorted the co-accused to fire at the deceased. He has submitted that the allegations made against the petitioner are false and



frivolous on the face of it, even otherwise the petitioner neither was armed with any weapon nor he has played any overt act. He has submitted that co-accused of the petitioner, namely, Simran Bala, Ravinder Singh @ Raja @ Malhi and Maninder Singh @ Mani, have already been granted bail by this Court vide orders dated 10.11.2022, 28.04.2025 and 21.05.2025, respectively, passed in CRM-M-45043-2022, CRM-M-9664-2025 and CRM-M-31423-2024 and thus, case of the petitioner is at par with that of the co-accused, who have been granted bail by this Court. He has submitted that the petitioner has no criminal antecedents. He has submitted that in the facts and circumstances, when the co-accused have already been granted bail, the petitioner deserves to be granted bail on parity.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner was specifically named in the FIR along with the co-accused being part of the unlawful assembly and thus, was actively involved in the commission of offence. On instructions, She has submitted that out of total 47 prosecution witnesses, only 05 witnesses have been examined till date. She has further endorsed the fact that co-accused of the petitioner, namely, Simran Bala, Ravinder Singh @ Raja @ Malhi and Maninder Singh @ Mani have already been granted bail by this Court vide orders dated 10.11.2022, 28.04.2025 and 21.05.2025, respectively.

5. Heard.



6. After hearing counsel for the parties and perusing the record, it is inferred that the FIR was lodged by the father of the deceased. The allegations primarily against the petitioner are regarding exhortation of co-accused by him. The petitioner is in custody since the date of his arrest, i.e. 04.02.2023. As submitted before this Court, the petitioner is involved in one more case, however he is on bail in that case and the petitioner has completed incarceration of more than 03 years. Co-accused of the petitioner, namely, Simran Bala, Ravinder Singh @ Raja @ Malhi and Maninder Singh @ Mani have already been granted bail by this Court vide orders dated 10.11.2022, 28.04.2025 and 21.05.2025, respectively. Out of total 47 prosecution witnesses, only 05 witnesses have been examined till date. Needless to say that every accused has the fundamental right of speedy trial.

7. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

8. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in '**Javed Gulam Nabi Shaikh Vs. State of Maharashtra,**



Criminal Appeal No. 2787 of 2024, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

9. This Court would refrain itself from commenting anything on the merits of the case. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. 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 as the co-accused, namely, Simran Bala, Ravinder Singh @ Raja @ Malhi and Maninder Singh @ Mani have already been admitted to bail by this Court as stated above.

10. 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. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

16.10.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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