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

CRM-M-652-2025

Date of Decision:21.05.2025

Gurdial Singh alias Lali

...Petitioner

vs.

State of Punjab

...Respondent

**Coram :** Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Gurdeep Singh, Advocate  
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.181 dated 07.08.2023 registered under Sections 341, 307, 326 of IPC, at Police Station City Sunam, Sangrur.

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

“Copy of Statement of Harbans Kaur W/o Late Dev Singh resident of Ward No. 4 Parmanand Basti Sunam, age about 70 years stated that I am a resident of the said address and do domestic work. My four girls who are married. My younger daughter Rajwinder Kaur alias Rajji who was married to Gurdayal Singh alias Lali S/o Gurcharan Singh R/o Namol Road Sunam, about 20 years ago. Who has two girls and one boy. About 05 years ago, my daughter Rajwinder Kaur alias Rajji was beaten up by my son-in-law Gurdayal Singh alias Lali and left with me along with my two daughters, and about 7-8 months ago today, my daughter

Rajwinder Kaur alias Rajji started doing private job at Modi Cloth House Sunam to support the house. At around 09:30 AM at House Sunam, my son-in-law Gurdayal Singh alias Lali surrounded my daughter in front of her and hit her with a iron Khapra in the right hand and hit the same on the left side of her head, with the intention of killing her. Then 2-3 times my daughter's left arm was cut 3 times and the second one was cut. Me and my daughter Rajwinder Kaur alias Rajji screamed and my girl fell unconscious. She fainted and fell on her leg, people gathered around her, then arranged a vehicle and admitted my daughter Rajwinder Kaur to Civil Hospital Sunam, who by providing first aid, referred my daughter Rajwinder Kaur alias Rajji to Rajindra Hospital, Patiala for treatment. Where my daughter is under treatment, the irony is that my son-in-law Gurdayal Singh alias Lali was addicted to drugs and drinking alcohol and my daughter used to stop him, that is why my son-in-law surrounded and killed my daughter Rajwinder Kaur alias Rajji. Khapra has been attacked with intention, please take legal action against it. I have written a statement to you. It is good to hear. RTI/-Harbans Kaur said, Tayed Sahi/-Narinder Kaur W/o Kulveer Singh Resident of Ward no. 1 Chuhatta Bazaar Sunam, Confirmation SD/-Jitinder Kaur SI Station City Sunam Date 07.08.2023.”

3. Learned counsel for the petitioner contends that the occurrence had taken place at the spur of the moment and the petitioner never had any intention to kill his wife and the police has wrongly added the offence under Section 307 IPC. He next contends that the injured has already been discharged from the hospital and even she had appeared as witness before the trial Court. Moreover, all the material witnesses have already been examined by the prosecution and the petitioner is not in a position to influence the witnesses of the prosecution. Moreover, the petitioner is a poor labourer and has old mother and three minor

children, who are completely dependent on him. He further contends that the petitioner was arrested in the present case on 18.08.2023 and is in custody for the last more than 01 year and 07 months.

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 had caused serious injuries on the person of Rajwinder Kaur, his wife and all four injuries were declared to be dangerous to life.

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

6. It is not in dispute that all the material witnesses have already been examined by the prosecution including the injured as well as the complainant. Since, all the material witnesses have been examined, further custody of the petitioner will not serve any meaningful purpose.

7. 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.

**21.05.2025**  
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**(N.S.SHEKHAWAT)**  
**JUDGE**

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