IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-22572-2025 (O&M)
Date of Decision: 28.05.2025

Gurwinder Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.K.Mann, Senior Advocate with
Ms. Simrat Kaur, Advocate for the petitioner.

Mr. Prit Inder Singh, Addl.A.G, Punjab.

Mr. Gursharan Singh, Advocate for the complainant.

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MAHABIR SINGH SINDHU, J.

Present petition has been filed, under Section 439 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for grant of bail pending trial to the petitioner in DDR No. 37 dated 07.09.2023, registered under Sections 307, 452, 336, 427 and 148 read with Section 149 of Indian Penal Code, 1860 (for short, 'IPC') and Section 27 of Arms Act, 1959 in FIR No.68 dated 06.09.2023, registered under Sections 307, 324, 323, 341, 427 and 148 read with Section 149 of IPC and Section 27 of the Arms Act, 1959, at Police Station Bhindi Saidan, District Amritsar Rural.

2. Learned State counsel has produced custody certificate dated 27.05.2025 of petitioner and the same is taken on record.

Registry to do the needful.

3. Allegations are that petitioner along with other co-accused formed an unlawful assembly and in prosecution of the common object of

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the said assembly, fired several gunshots upon *de facto* complainant-Pargat Singh with an intention to kill him.

4. Contends that petitioner is in custody since 08.03.2025. Also contends that present case is version and cross-version and matter has been amicably settled between the parties i.e petitioner as well as *de facto* complainant-Pargat Singh at their own level. Lastly contends that no useful purpose would be served by prolonging the incarceration of petitioner.

5. Learned counsel for *de facto* complainant acknowledges the factum of compromise; submits that he has no objection in case present petition is allowed and petitioner is enlarged on bail.

6. *Per contra,* learned State counsel vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; thus, he does not deserve the concession of bail pending trial at this stage.

7. Heard both sides and perused the paper-book.

8. Concededly, it is a case of version and cross-version. Petitioner is in custody since 08.03.2025. Matter has been amicably settled between the parties i.e petitioner as well as *de facto* complainant-Pargat Singh at their own level. Moreover, State has not raised any objection that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial in any manner; thus, further incarceration of the petitioner would not serve any purpose.

9. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall appear on each & every date of hearing and fully co-operate with the learned trial Court without seeking any

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unnecessary adjournment(s).

11. The above observations be not construed as an expression of opinion on the merits of the case.

12. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

28.05.2025 **(MAHABIR SINGH SINDHU)**
Rajeev (rvs)/SN **JUDGE**

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

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