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

CRM-M-15105-2025

Date of Decision:13.05.2025

GURSAHIB SINGH

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Fateh Singh Bhullar, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.60 dated 30.08.2023, registered under Sections 307, 379-B(2), 341, 34 of IPC & Sections 25/54/59 of Arms Act, Police Station Kacha Pacca, District Tarn Taran.

2. Learned counsel for the petitioner submits that as per the case set up by the prosecution, the petitioner was a pillion rider of the motorcycle, on which the accused came at the place of occurrence and had committed the crime. It was also falsely alleged that the petitioner had fired at the police party, whereas, no police official had suffered any injury in the present case. He further contends that the petitioner was arrested in the present case on



30.08.2023 and is in custody for the last more than 01 year and 08 months. Apart from that, the prosecution had examined PW-1, the complainant and PW-2, Kuldeep Kaur, the alleged victim. However, both of the main witnesses have turned hostile. Apart from that PW-4, Gurmehak Singh had also not supported the case of the prosecution. Thus, there are bleak chances of conviction in the present case and further custody of the petitioner will not serve any useful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He has also filed status report by way of an affidavit of the Deputy Superintendent of Police, Sub Division Valtoha, camp at Bhikhiwind on behalf of the respondent-State and the same is taken on record.

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

5. It is not in dispute that the PW-1, complainant, his wife PW-2 and PW-4, Gurmehak Singh have turned hostile and have not supported the case of the prosecution. Further, it is apparent from the order dated 23.10.2024 passed by this Court in CRM-M-51438-2024 (Annexure P-5) that the concession of bail has been allowed to Mandeep Singh, a similarly placed accused. Thus, the further custody of the petitioner will not serve any useful purpose.

6. 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.

13.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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