



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-34084-2025
Reserved on: 20th August, 2025
Pronounced on: 27th August, 2025**

Gurpreet Singh @ Babba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Chandhan Singh Rana, Advocate for the petitioner.

Ms. Skashi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 56 dated 20.06.2023 registered under Sections 307, 323, 506, 148 and 149 of IPC (Sections 302, 212, 216 and 201 of IPC added later on) at Police Station Badali Ala Singh District Fatehgarh Sahib.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Avtar Singh on 20.06.2023, alleging that on the night of 19.06.2023, he was present at his house along with his family members when the petitioner accompanied by co-accused Gurpreet Singh son of Bikar Singh (hereinafter to be mentioned as Gurpreet Singh-II), co-accused and two unknown persons came outside his house and started raising *lalkaras*, on hearing which, Baljinder Singh son of the complainant



went out of the house and then the petitioner and co-accused opened an assault upon the complainant with the respective weapons which they were carrying. The complainant and his son raised rescue alarm which attracted the co-villagers who started gathering and then the assailants fled while extending threats to kill the complainant and his son. The injured was taken to the hospital for treatment. After registration of FIR, investigation proceedings were initiated. The victim Baljinder Singh succumbed to his injuries and died. The petitioner was arrested on 27.06.2023 and the co-accused was also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period of over two years. No specific role has been attributed to him. Even, PW-6 Avtar Singh i.e. the complainant and PW-7 Sandeep Singh, eye-witness have not implicated the petitioner in the commission of subject offences. The co-accused Manjot Singh @ Jyoti and Gurtej Singh have been extended benefit of bail. On parity, he too deserves to be given the same benefit. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. Therefore,



it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and, in prosecution of common object thereof, to have assaulted the son of the complainant, who died as a result of the injuries sustained at the hands of the petitioner and the co-accused. The co-accused Gurtej Singh has been extended the benefit of bail by this Court due to the reason that neither the complainant Avtar Singh, nor eye-witness Sandeep, has implicated him in the commission of subject offences. Learned counsel for the petitioner has placed on record copies of sworn depositions of these two material witnesses, and a perusal of the same reveals that both of them deposed about the presence of the petitioner at the spot and also stated that he, along with the co-accused, had attacked the victim. They might not have attributed any specific injury to the present petitioner, but they nonetheless stated that all the assailants had jointly attacked the victim. The petitioner has been booked and challaned in this case with the aid of Section 149 of IPC, and the principle of vicarious liability is certainly attracted qua him. The allegations against him are serious in nature. The trial is going at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. Even otherwise, it is well-settled law that prolonged incarceration, in cases involving serious offences such as murder, cannot by itself a ground for granting bail to the petitioner. As such, this Court is of the opinion that



the petitioner does not deserve to be extended benefit of bail. Accordingly, the petition is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*