



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

206

**CRM-M-6196-2025 (O&M)  
Date of decision : 21.05.2025**

Gurlal Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

**MAHABIR SINGH SINDHU, J.**

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been filed for grant of pre-arrest bail to the petitioner in FIR No.0111 dated 23.10.2024, under Sections 109, 191(3) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959, registered at Police Station Raja Sansi, District Amritsar Rural.

(2) Short reply by way of affidavit dated 19.05.2025 of Inderjit Singh, PPS, Deputy Superintendent of Police, Sub-Division Rajasansi, Amritsar (Rural) on behalf of respondent, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

(3) Allegations are that petitioner along with co-accused formed an unlawful assembly; and in prosecution of their common object, he fired a gun shot at the *de facto* complainant – Kuldeep Singh with an intention to kill him.



(4) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 03.02.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(5) *Per contra*, learned State counsel, on instructions from quarter concerned, although acknowledged that petitioner joined investigation in compliance of order dated 03.02.2025; but recovery of alleged weapon is yet to be effected from him.

(6) Heard learned State Counsel and perused the paper-book.

(7) Petitioner was granted interim bail by this Court, vide order dated 03.02.2025 and the order reads as under:-

*“Contends, inter alia, that there is no injury suffered in the present case; nor any other criminal case is pending against the petitioner.*

*Notice of motion.*

*At this stage, Mr. Kunwarbir Singh, learned A.A.G., Punjab, accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.*

*Posted for 18.03.2025.*

*In the meanwhile, the petitioner shall join investigation before the Investigating Officer, but he be not arrested till the next date of hearing.”*

(8) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation. The objection raised by learned State Counsel to the effect that recovery of alleged weapon is yet to be effected would not be a ground



to deny pre-arrest bail to the petitioner for the reason that there is no injury in this case; thus, it would be debatable during trial as to whether such an incident had occurred during election time.

(9) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 03.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

(10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(11) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(12) It is also clarified that in case of any recurrence on the part of 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.

**21.05.2025**

*d.gulati/Harish Kumar*

**(MAHABIR SINGH SINDHU)  
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No