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

CRM-M-17761-2025

Date of Decision:07.04.2025

GURPREET SINGH ALIAS GOPI

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S., with a prayer to grant regular bail to him in case FIR No.143 dated 31.10.2024, registered under Sections 109, 115(2), 3(5) BNS of 2023 (Section 118(2) BNS added later on), Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the statement made by Gurdev Kaur wife of Satwant Singh and the same has been reproduced below:-

“Statement of Gurdev Kaur, wife of Satwant Singh, resident of village Haruwal, aged about 50 years. Mobile No. 84334-87334,



stated that I am resident of the abovesaid address and doing the work of house hold. I have three children and two younger sons, out of which eldest is daughter who got married, eldest then is Sukhpreet Singh and youngest to all is Karanjit Singh aged about 17 years. On 29.10.2024, at about 3:20 PM, I along with my abovesaid son Karanjit Singh went to Kahlawali Chowk, Dera Baba Nanak from our village Haruwal on Motorcycle bearing registration no. PB-06-AQ-3623, mark Hero, for the purchase of domestic goods and after turning from the Kahlanwali Chowk towards Batala side, when we stand motorcycle on road along with my son Karanjit Singh on front of liquor Store and I went to inside the shop for the purchase of good and my son was turned the motorcycle towards Dera Baba Nanak and himself sit on the motorcycle. The time was around 4:00 PM, I after purchasing item, started going to my son then saw that from the side of Batala two clean shaven young person came on motorcycle, in which the person who sit back on seat was armed with datar and stopped the Motorcycle parallel to my son, the young man who sit on the abovesaid motorcycle alighted from it quickly and gave datar blow directly on the head of my son Karanjit Singh by heavy hand with the intention to kill him and upon which my son fell down on the ground. Thereafter, the abovesaid young man gave revere blow of dattar which hit between the thumb and the index finger of left hand of my son. After seeing this, I raised alarm maar dita maar dita while running towards my son and people started to gathering there and aforesaid two young men along with datar and motorcycle fled away from the spot towards Dera, but I have seen the young men who ruining away, in which the man who was driving the motorcycle name is Amrit and men who sit on the back seat is Gopi and both are residents of village Samrai to whom I previously knew but I don't know their father's name. I do not have any information with regard to reason of discord, when my son will disclose about it and when my son get stable. I called my second son Sukhpreet Singh on seeing my abovesaid son Karanjit Singh is laying in a pool of blood, who came at the spot and arranged the vehicle and admitted the abovesaid Karanjit Singh in civil Hospital, Dera Baba



Nanak and doctor referred for Shri Guru Nanak Hospital, Amritsar, due to his serious condition but we took the abovesaid Karanjit Singh at private Hartej Hospital, Amritsar on account oh his poor condition where is my son under treatment. On 30.10.2024, I could not get recorded my statement about the incident that probably my son might be conscious but my son is still serious. The strict legal action be taken against the abovesaid two young men accused and justice be given to us. Statement has been. reordered and heard over to it which is found to be correct. RTI/-Gurdev Kaur attested by Sd/- Sukhpreet Singh.”

3. As per learned counsel, the petitioner had allegedly caused an injury with a *datar* on the head of Karanjit Singh, son of the complainant. It has been further alleged that the petitioner had caused injuries with reverse side of *datar* on the thumb and index finger of left hand of Karanjit Singh. However, Karanjit Singh, injured has already been discharged from the hospital. He further contends that the petitioner was arrested in the present case on 11.11.2024 and is in custody for the last about 05 months. Even the petitioner was never involved in any other criminal activity. As per learned counsel, charge has been framed against him and out of 21 witnesses, no witness has been examined so far.

4. 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.

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



6. The petitioner was arrested in the present case on 11.11.2024 and challan has been presented against him. Moreover, the prosecution has not been able to examine even a single witness so far and there are no chances of early conclusion of trial. Thus, further custody of the petitioner may not serve any useful 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.

07.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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