



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

246

CRM-M-7971-2025

Date of decision: February 18th, 2025

Gurpreet Singh @ Goga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent: Mr. S.S. Brar, Advocate
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail in FIR No.167 dated 14.11.2023 under Sections 307, 323, 506, 148, 149 and 427 of the IPC (Section 325 of the IPC added later on) registered at Police Station Doraha, District Khanna.

2. Learned counsel for the petitioner, *inter alia*, contends that perusal of the FIR reveals that although the petitioner has been named therein and alleged to be armed with baseball bat, however, no specific injury or role has been attributed to him. Instead it was co-accused Gursimran Singh, Jaspreet Singh, Pardeep Singh etc., who had been attributed injuries on the persons of the complainant party including the injury inviting the mischief of Section 307 of the IPC. Learned counsel contends that since the charges have been framed, further incarceration of the petitioner would serve no useful purpose as none of the 22 witnesses have been examined so far. It has also been brought to the

notice of this Court that identically placed co-accused Jaspreet Singh @ Jassa has already been granted the concession of bail by this Court vide order dated 27.01.2025 annexed as Annexure P-4.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel opposite, on instructions from ASI Satpal Singh, has not disputed that the petitioner has been in custody since 18.11.2023 and after the challan was presented, charges have also been framed. It has also not been disputed, on instructions, that none of the 22 prosecution witnesses have been examined so far.

4. On a pointed query put to the learned State counsel as to whether the petitioner has been attributed any specific injury on the person of the complainant, he on instructions, has replied in the negative but has reiterated that the petitioner was named in the FIR in question and was armed with a baseball bat at the relevant time.

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

6. The possibility of the trial concluding in the near future looks remote as none of the 22 prosecution witnesses have been examined so far. The petitioner, even as per the admitted case of the prosecution, has not been attributed any specific injury.

7. In the facts and circumstances enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as further incarceration of the petitioner would serve no useful purpose.

8. Accordingly, the instant petition is allowed. Petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear

that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

February 18th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No