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

**CRM-M-6357-2025 (O&M)
DECIDED ON: 25.02.2025**

KULDEEP SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Deepak Goyal, Advocate, for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)**CRM-8015-2025**

Present application has been moved by the applicant/petitioner for placing on record amended petition.

Considering the averments mentioned in the application, prayer made in the application is allowed and amended petition is ordered to be taken on record. Registry is directed to tag the same at the appropriate place on the file.

CM stands disposed of.

CRM-M-6357-2025

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kuldeep Singh	22	02.04.2024	307, 324, 323, 148, 149, 506 IPC, (Sections 326, 120-B IPC added later on)	Longowal	Sangrur



2. Learned counsel for the petitioner contends that the petitioner is inside jail since 27.06.2024, and proceedings of the trial are not at the required pace, as only charges have been framed and the process of recording of the statement of the witnesses is yet to start.

Counsel for the petitioner submits that the main allegation is against Gurlal Singh @ Lallu, who caused *gandasa* blow on the head of the injured namely Gurpreet Singh (son of the complainant). There is another accused namely Gurlal Singh s/o Malook Singh, who is attributed *gandasa* blow on the neck of the injured but same was found simple in nature. There is one more accused namely Gurpreet Singh s/o Bahadur Singh, who was allegedly armed with *dang*.

3. Counsel for the petitioner further submits that co-accused Gurlal Singh s/o Malook Singh and Gurpreet Singh have already been released on bail by this Court, vide order dated 19.11.2024 passed in CRM-M-56408-2024 and vide order dated 28.10.2024 passed in CRM-M-42286-2024, respectively.

He further submits that bail application filed by Gurlal Singh @ Lallu, who caused *gandasa* blow on the head of the injured – Gurpreet Singh, has already been withdrawn after its filing. Therefore, role attributed to the petitioner can be considered quite different to the main accused namely Gurlal Singh @ Lallu because the alleged *ghop* injury caused by an unknown person (petitioner herein) was on the non-vital part of the body i.e. on the left leg of the son of the complainant.

4. On the other hand, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that there are total 4 injuries suffered by the injured and the charges have already been framed. However, he is not in a position to dispute the fact that the petitioner is inside jail since 27.06.2024, and till date, process of recording of the statement of the witnesses has not been started.

5. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this Court is of the view that the petitioner cannot be kept behind the bars for



such a long period, especially noticing the fact that injury caused to the son of the complainant was on a non-vital part of the body, and the petitioner's culpability in terms of sharing a common intention with others has yet to be established by the prosecution.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

25.02.2025

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO