



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

254

**CRM-M-48723-2024 (O&M)
Date of Decision:- 07.05.2025**

GURINDER SINGH ALIAS GAGAN KHAIRA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
161	05.08.2024	109(1), 190, 191, 115(1), 249 BNS; 25 of the Arms Act, 1959	Division No.8, Police Commissionerate Jalandhar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no injury has been attributed to the petitioner and the petitioner himself happens to be the victim, as he had sustained injury in the occurrence at the hands of opposite party and a cross-version is already



registered. He submits that the petitioner is in custody since 08.08.2024 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition by arguing that the petitioner and his accomplices had attacked on the opposite party while being armed with multiple weapons including iron rods, bricks and gandasi. He has, however, not disputed the fact that no injury has been attributed to the petitioner and that the petitioner had sustained injury in the occurrence, qua which cross-version has been lodged.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that on 05.08.2024, the petitioner along with his friend Sonu, met their friend Manga, who was accompanied with 6-7 companions. Manga was having a fight with Jagtej Singh, who was also accompanied by 6-7 boys. Both the parties entered into a fight near Pathankot Chowk and gave injuries to each others with their weapons. In the said occurrence, the petitioner suffered injuries, qua which a cross-version has also been registered. The petitioner is not attributed any injury in the occurrence and is in custody since 08.08.2024. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 16 witnesses, however, none has been examined till date. The conclusion of trial to ascertain which party was the aggressor and to determine the criminal



liability, if any, of the petitioner, will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

07.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No