

CRM-M-26664-2026

-1-

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

211

**CRM-M-26664-2026**  
**Date of decision : 15.05.2026**

**GURPAL SINGH @ PALA**

... PETITIONER

Versus

**STATE OF PUNJAB**

.. RESPONDENT

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Harjot Singh Mann, Advocate for the petitioner.

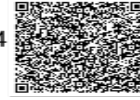
Mr. Sandeep Kumar, DAG, Punjab.

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**H.S. Grewal, J.(Oral)**

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No.26, dated 18.03.2023, under Sections 279, 353, 186, 506, 336 and 427 of IPC, 1860 (Sections 281, 132, 221, 351(2)(3), 125, 324(4) of BNS, 2023) and Sections 25(2), 27, 29, 54, 59 of the Arms Act, 1959, registered at Police Station Khilchian, District Amritsar Rural.

2. The case of the prosecution is that on 18.03.2023, the petitioner and the co-accused(s) were travelling in separate vehicles as part of a rally and were signalled to stop by the police. However, the drivers of the said vehicles allegedly increased the speed and drove in a rash and negligent manner. They are alleged to have struck against the police barricades and have broken the same. It is also alleged that the accused persons fired shots from their deadly weapons in the air and thereafter, fled from the spot towards Khadoor Sahib in

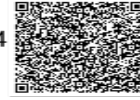
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their respective vehicles. It is also alleged that the petitioner belongs to a religious hardliners group.

3. Learned counsel for the petitioner, however, submits that the petitioner has been falsely implicated in this case and there is no incriminating material which would connect him with the alleged offence. It is submitted that neither any specific role nor any injury has been attributed to the petitioner. Learned counsel further submits that several co-accused(s) including Manpreet Singh @ Bagga, Gurpreet Singh, Ranjit Singh @ Ranjit Singh Sidhu, Savreet Singh and Baljinder Singh have already been granted the concession of bail by this Court. He has referred to the copies of the orders in this regard at Annexures P-3 to P-7 respectively. Learned counsel also submits that the petitioner is in custody for the last more than 03 years, 01 month and 22 days. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as only 05 of the 65 cited prosecution witnesses have been examined so far.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 03 years, 01 month and 22 days. He, upon instructions, submits that only 05 of the 65 cited prosecution witnesses have been examined so far.

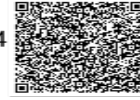
5. I have heard the learned counsel for the parties and perused the record.

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6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 03 years, 01 month and 22 days, co-accused(s) have already been granted bail and that the trial is likely to take a long time as only 05 of the 65 cited prosecution witnesses have been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

7. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

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9. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant would be at liberty to seek cancellation of his bail.

**May 15, 2026**  
**Sonia**

**(H.S.GREWAL)**  
**JUDGE**

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