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

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Date of decision : 08.07.2026

GURDEEP SINGH ALIAS TITTU

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr. N.S. Dadwal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.0045 dated 26.05.2024, registered under Sections 302, 148, 149 IPC (now Sections 103, 191(3) & 188 BNS, 2023), registered at Police Station Sudhar, District Ludhiana Rural.

2. The case of the prosecution is that the petitioner, along with his co-accused, in furtherance of their common intention, hatched a criminal conspiracy to commit the murder of Rajwinder Singh @ Rajan. It is alleged that co-accused Mato inflicted a *toka* blow on the head of Rajwinder Singh @ Rajan, whereas co-accused Jassa caused an injury with a *tangle* on his neck. It is further alleged that other co-accused namely Tittu (present petitioner), Charna and Ravi also participated in the occurrence and caused injuries to the deceased.

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3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific injury has been attributed to him. He further submits that there is no incriminating evidence to suggest that the petitioner had any intention or motive for the alleged murder. It is submitted that the material prosecution witnesses, i.e. PW-1 complainant Satwinder Singh, PW-2 Baljot Singh and PW-3 Harmandeep Singh, have not supported the prosecution case qua the involvement of the petitioner and have been declared hostile. Learned counsel also submits that the petitioner is in custody for the last more than 02 years, 01 month and 06 days. He, therefore, prays for release of the petitioner on regular bail as only 03 out of 11 cited prosecution witnesses have been examined so far.

4. Notice of motion.

5. On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the respondent and vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 02 years, 01 month and 06 days. He, upon instructions, submits that only 03 out of 11 cited prosecution witnesses have been examined so far.

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

7. 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 02 years, 01 month and 06 days, no overt act has been attributed to him, the aforesaid material prosecution witnesses turned hostile, and that the trial is



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likely to take a long time to conclude as only 03 out of 11 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.

8. 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.

9. 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.

10. 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.

July 08, 2026
Sonia

(H.S.GREWAL)
JUDGE

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