



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

CRM-M-69184-2025 (O&M)

GURPIAR SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

1	The date when the judgment is reserved	16.03.2026
2	The date when the judgment is pronounced	20.03.2026
3	The date when the judgment is uploaded on the website	20.03.2026
4	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment and reasons thereof.	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Puja Chopra, Sr. Advocate with
Ms. Palak Sharma, Advocate for the petitioner

Mr. Roshandeep Singh, AAG, Punjab

MANISHA BATRA, J. (ORAL)

1. The instant petition has been preferred by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") for grant of regular bail in case arising out of FIR No.27 dated 16.02.2024 registered under Sections 307, 323, 379, 148, 149, 120B of IPC (Sections 307, 323 of IPC deleted later on and Section 302 of IPC added later on).



2. The aforementioned FIR was registered on the basis of statement got recorded by the complainant-Surjit Kaur on 16.02.2024 alleging therein that on the night of 10.02.2024 her son had gone to JD Gym, Nabha for exercising, when the accused Balwinder Singh Dhanoa in connivance with his accomplices Soni Sainsi, Harry, Sikander, Thuli and some unknown persons assaulted his son and caused injuries to him with an intent to kill him. They threw him near Dhariwal Eye Hospital after causing injuries. She alleged that her son was unconscious and was lying in coma since that day. The audio recording of accused Balwinder Singh Dhanoa giving instructions to his accomplices to give beatings to her son and to kill him, had gone viral on social media. By alleging that she was sure that the above named persons had hand in causing injuries to his son, she prayed for taking action. On her statement, initially a case under Sections 323, 307, 379, 120B, 148 and 149 of IPC was registered. Investigation proceedings were initiated. The victim succumbed to his injuries. Offence under Section 302 of IPC was added on 18.02.2024.

3. As per the further allegations, the accused Balwinder Singh, Dhanoa and Amanjot Singh @ Thulli were arrested on 27.02.2024. On interrogation, accused Balwinder Singh Dhanoa suffered disclosure statement admitting his involvement in the crime. Subsequently, the accused Sukhwinder Singh @ Sikander @ Bachi was arrested. The complainant recorded her supplementary statement on 21.06.2024 on the basis of which the petitioner and some other persons were nominated as accused. The petitioner was arrested on 13.02.2025. Investigation now stands completed.



4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR and has been nominated as an accused on the basis of the supplementary statement recorded by the complainant, 04 months after the occurrence. He was not even named by the co-accused. He was not present at the time of occurrence. No specific role has been attributed to him. He is in custody since 15.02.2025. He is not required for further investigation. The trial would take considerable time to conclude. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. No fruitful purpose is going to be served by detaining him in custody anymore. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. An audio recording was posted on the Social media regarding the murder of the victim on the basis of which the petitioner was nominated as accused. The person who took responsibility for making post on the Social media claimed that the petitioner alongwith other assailants was there at the time of commission of subject offence. The antecedents of the petitioner are not clean, as he has been involved in several other cases. The allegations against him are grave in nature. With these broad submissions, it is urged that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.



7. The petitioner was not named in the FIR. He was nominated as an accused on the basis of the supplementary statement of the complainant as recorded 04 months after the occurrence. Annexure P3 is copy of translated version of the challan report as filed in this case and on a perusal of the same it is revealed that on 21.06.2024, the complainant had recorded statement that some audio was posted on Social media by the accused regarding the murder of her son and named the petitioner as one of the assailants alongwith 02 more persons namely Manjit Kaur @ Kali and Karo as assailants to her son. Admittedly, the above said Manjit Kaur and Karo have been found to be innocent. In the status report, it is mentioned that the petitioner was nominated due to the fact that a person who took responsibility of the murder of the victim by making a post on Social media, had also claimed that the petitioner was alongwith them. The contents of the said post, have been mentioned in the status report. Learned State counsel had also not been able to say as to who had uploaded some audio/video on Social media and what were the contents of the same. The supplementary statement of the petitioner also does not appear to be made on the basis of any eye-witnessed account. As such it is a debatable question as to whether the petitioner was actively involved in the incident or not? He is in custody since 15.02.2025. The trial will obviously take time to conclude as only 02 out of 29 prosecution witnesses have been examined so far.

8. Taking into consideration the above discussed facts but without meaning to make any comment on the merit of the case, this Court is of the considered opinion that no useful purpose would be served by detaining the petitioner in custody anymore and a case is made out for grant of bail to the



petitioner, at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

20.03.2026
Amit Sharma

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