



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

**CRM-M-18434-2025**

**Date of Decision:09.04.2025**

Samuel Masih

...Petitioner

vs.

State of Punjab

...Respondent

**Coram :    Hon'ble Mr. Justice N.S.Shekhawat**

Present :    Mr. Pardeep Singh Poonia, Advocate with  
                 Mr. Pulkit Dhanda, Advocate,  
                 Mr. Mukul Malik, Advocate and  
                 Mr. Dharampal Saini, Advocate  
                 for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Daljeet Singh Randhawa, Advocate  
for Mr. Amandeep Singh Manaise, Advocate  
for the complainant.

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**N.S.Shekhawat J. (Oral)**

1.                The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.102 dated 12.09.2024 registered under Sections 115(2), 118(1), 118(2), 333, 351(2), 191(3), 190, 117(2) of BNS, at Police Station Dera Baba Nanak, District Gurdaspur.

2.                Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner had caused injuries with *datar* to Gagandeep Singh and Palwinder Singh. The injuries suffered by Gagandeep Singh have been declared to be simple in nature, whereas one injury suffered by Palwinder Singh has been declared to be grievous in nature and other injury is simple.

Learned counsel further contends that the cross version in the shape of GD No. 45 dated 23.10.2024 has also been registered by the police and it is apparent from the record that the petitioner had also suffered five injuries on his person. Learned counsel next contends that it is a case of version and cross-version and the question of aggressor is yet to be adjudicated by the trial Court. The petitioner was taken in custody on 16.02.2025 and is in custody for almost 02 months. The injured in the present case have already been discharged on both the sides and further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the injury caused on the forehead of Kulwinder, which is attributed to the petitioner, has resulted into fractures on the forehead and the petition deserves to be dismissed by this Court.

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

5. In the present case, there are injured on both the sides and even the petitioner had sustained five injuries in the alleged incident. Further, the injured on the complainant side have already been discharged from the hospital and are hale and hearty. The petitioner is stated to be in custody for almost two months now and further detention of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his

furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

09.04.2025  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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