



203-CRM-M-24625-2025

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

CRM-M-24625-2025

Date of decision: 23.05.2025

Sajan Masih @ Sajan

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Daljeet Singh Randhawa, Advocate,
for Mr. A.S. Manaise, Advocate,
for the petitioner.

Mr. Roshandeep, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Mr. Deepak Arora, Advocate, has entered appearance on behalf of the complainant and filed his memo of appearance to assist learned State counsel in Court. The same is taken on record.

2. Status report dated 22,05,2025, filed in the form of affidavit of Deputy Superintendent of Police, Sub Division Dina Nagar, District Gurdaspur, on behalf of State-respondent, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

3. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seek anticipatory bail in case FIR (Annexure P-1) as under: -



203-CRM-M-24625-2025

FIR No.	Dated	Sections	Police Station
2	11.01.2025	115(2), 118(1), 109, 190, 191 BNS	Purana Shalla, District Gurdaspur

2. Learned counsel for the petitioner submits that in compliance to the order dated 07.05.2025, the petitioner has joined the investigation.

3. During the course of hearing on 07.05.2025, following order has been passed: -

‘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 on account of enmity in the village. He contends that there is a delay of 05 days in lodging of the FIR creating doubt regarding the genuineness of the case of the prosecution.

3. Learned counsel for the petitioner further contends that no specific overt act is attributed to the petitioner and the alleged injury as per the FIR is simple with blunt weapon, to be precise simply ‘complaint of pain’ the petitioner otherwise has no concern. He contends that the petitioner is not having any criminal antecedents and hence prays for grant of anticipatory bail.

4. Notice of motion.

5. On the asking of the Court, Mr. Jatinderpal Singh, Sr. DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter. Needful be done well before the date fixed with an advance copy to the counsel opposite. Learned State counsel on the basis of pairvi report has not disputed the fact that the



203-CRM-M-24625-2025

alleged injury attributed to the petitioner is complaint of pain in the back of the complainant and the petitioner is not having any criminal antecedents.

6. *Be it the case, without commenting on the merits, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of BNSS.*

7. *List on 23.05.2025'*

4. Learned State counsel on instructions received from ASI Malkeet Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation. However, learned counsel appearing on behalf of complainant opposes to grant bail to the petitioner.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 07.05.2025 passed by this Court, interim bail granted vide order dated 07.05.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper



203-CRM-M-24625-2025

with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

23.05.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |