



220-1

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

CRM-M-57790-2025

DECIDED ON: 09.12.2025

LUCKY MASIH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Hitesh Chopra, Advocate, and
Mr. Amit Chopra, Advocate, for the petitioners.

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed under Section 482 BNSS 2023, for Grant of Anticipatory Bail to the petitioners in the case of G.D. No.33 dated 20.08.2025 u/s 126(2), 115(2), 118(2), 3(5) BNS, 2023 in FIR No.110 dated 13.08.2025 u/s 118(2), 118(1), 115(2), 191(3), 190 BNS, 2023 registered at Police Station Kalanaur, District Gurdaspur.

2. On 14.10.2025, following order was passed by this Court:-

“1. Present petition has been filed under Section 482 BNSS 2023, for Grant of Anticipatory Bail to the petitioners in the case of G.D. No.33 dated 20.08.2025 u/s 126(2), 115(2), 118(2), 3(5) BNS, 2023 in FIR No.110 dated 13.08.2025 u/s 118(2), 118(1), 115(2), 191(3), 190 BNS, 2023 registered at Police Station Kalanaur, District Gurdaspur.

2. Learned counsel for the petitioners, inter alia, contends that the specific role attributed to petitioner No.1 – Lucky Masih, is limited to raising a lalkara, without any overt act of violence. Petitioner No.2 – Ashok Masih, has been alleged to have inflicted an injury with a dattar on the left leg below the knee of the injured person, which has been declared as grievous in nature. As regards petitioner No.3 – Rajan Masih @ Raja Masih and petitioner



No.4 – Ravi Masih, it is submitted that they have been attributed with causing injuries using a sota on the left knee and an iron rod on the left arm, respectively. However, both these injuries have been medically declared as simple in nature.

3. It is further submitted that, in fact, petitioners are the actual victims and complainant in FIR No.110 dated 13.08.2025, registered under Sections 118(2), 118(1), 115(2), 191(3), and 190 of the Bharatiya Nyaya Sanhita at Police Station Kalanaur, District Gurdaspur. However, present cross-version case, lodged vide GD No.33 dated 20.08.2025 (impugned herein), has allegedly been filed by the complainant – Rohit Shabra – with the ulterior motive to harass and pressurize the petitioners into acceding to unlawful and unjustified demands.

4. It is also submitted that two of the accused persons named in the FIR registered at the instance of the petitioners have already been granted interim anticipatory bail by this Court in CRM-M-52443-2025 and CRM-M-54736-2025, and both these petitions are now listed for further consideration on 09.12.2025. Moreover, petitioners are ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioners in the present case.

5. Notice of motion.

6. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

7. Adjourned to 09.12.2025.

To be heard along with CRM-M-52443-2025 and CRM-M-54736-2025.

8. Taking into consideration the roles attributed to the petitioners and the nature of injuries allegedly sustained by the injured, this Court deems it appropriate to direct petitioners No.1, 3 and 4 – namely Lucky Masih, Rajan Masih @ Raja Masih, and Ravi Masih, to join the investigation as and when required by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

9. Besides, it is directed that petitioners would hand over their passport to the Investigating



Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”

3. Continuing the submissions, counsel for the petitioners No.1, 3 and 4 – namely Lucky Masih, Rajan Masih @ Raja Masih, and Ravi Masih, contends that in compliance of the order dated 14.10.2025 passed by this Court, petitioner Nos.1, 3 and 4 have joined the investigation, and have fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order *qua* petitioner Nos.1, 3 and 4.

4. On the other hand, learned State counsel on instructions, confirms the said averment made by counsel for the petitioner Nos.1, 3 and 4 of joining the investigation on 21.11.2025 by the petitioners, and submits that as of now, custodial interrogation of petitioner Nos.1, 3 and 4 is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner Nos.1, 3 and 4 have already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 14.10.2025 passed by this Court is hereby made absolute.

Accordingly, present petition *qua* petitioners No.1, 3 and 4 – namely Lucky Masih, Rajan Masih @ Raja Masih, and Ravi Masih, is allowed.

However, petitioner Nos.1, 3 and 4 shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.



7. It is also made clear that present order would be subject to the submission of passports of petitioner Nos.1, 3 and 4 to the Investigating Agency or to Court concerned, if they possess, within a period of one week from today. Otherwise, they would submit an affidavit, disclosing the fact that they do not possess any part.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

8. With respect to petitioner No.2 – Ashok Masih, it is clarified that, as he is alleged to have inflicted an injury with a *dattar* on the left leg below the knee of the injured person, which has been declared grievous in nature, no ground for grant of anticipatory bail is made out in his favour. **Accordingly, prayer for anticipatory bail *qua* petitioner No.2 – Ashok Masih stands dismissed.**

However, in the event, petitioner No.2 surrenders before the Court of the Area Magistrate/Duty Magistrate within a period of two weeks from today and files an application for regular bail, the same shall be decided expeditiously, preferably within a period of five days thereafter.

9. With the reasons recorded here above, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.12.2025
Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>