



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

205

CRM-M-14690-2026 (O&M)
Date of decision : 21.05.2026

Thomas

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Manoj R. Sharma, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (oral)

This petition for pre-arrest bail is the first petition, filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.12 dated 18.01.2026, for the commission of offence punishable under Sections 333, 115(2), 118(1), 324(4), 351(2), 351(3), 190, 191(2), 117(2) and 118(2) of Bharatiya Nyaya Sanhita, 2023 [Corresponding Sections 452, 323, 324, 427, 506, 149, 148, 325 and 326 of Indian Penal Code, 1860], Police Station Rangar Nangal, District Gurdaspur.

2. The abovementioned FIR came into being at the instance of 'Lakhwinder Singh', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that on 09.01.2025 at about 06:30 P.M. when he was present in his home, petitioner along with numerous assailants armed with various weapons entered his house and



inflicted injuries on his person as well as on the person of Joga Masih, Kanta Devi and Akashdeep Singh.

3. It is the case of the prosecution that pursuant to abovementioned statement, formal FIR of this case was lodged and the investigation taken up.

4. Status report has already been filed by the learned State Counsel. The same be taken on record.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the injury attributed to the petitioner is simple in nature and that the petitioner is ready to join investigation as and when called by the Investigating Officer. As per learned counsel for the petitioner, the petitioner has no criminal antecedents and therefore, the benefit of anticipatory bail be accorded to him.

7. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel in the present case the petitioner has not joined the investigation in compliance with order dated 18.03.2026, passed by this Court. It has also been contended by learned State Counsel that in order to recover the weapon of offence, custodial interrogation of petitioner is required.

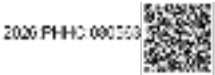
8. The record has been perused carefully.



9. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the offence is triable by the Court of Judicial Magistrate;
- ii. that the injury attributed to the petitioner is simple in nature;
- iii. that the petitioner has clean antecedents;
- iv. that the recovery of weapon of offence, i.e. sword, can be facilitated by issuing a direction to the petitioner to join the investigation;
- v. that there is delay of nine days in reporting the matter to the police;
- vi. that the investigation and trial are not likely to be concluded in near future;
- vii. that custodial interrogation of the petitioner is not likely to produce a fruitful result
- viii. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- ix. that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- ix. that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a



conclusion that the petitioner is entitled to the benefit of pre-arrest bail, and that the present petition deserves to be allowed.

11. In view of the above-mentioned discussion, the present petition is hereby **allowed** and the petitioner is accorded the benefit of pre-arrest bail. It is hereby directed that in the event of his arrest, the petitioner shall be released on bail on furnishing bonds to the satisfaction of arresting officer. Till the filing of final report by the police, the petitioner shall join the investigation as and when called by the Investigating Officer. However, the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority;
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial;
- (iii) that the petitioner shall also abide by the conditions as specified under Section 482(2) of the ‘Bharatiya Nagarik Suraksha Sanhita, 2023’; and
- (iv) that the petitioner shall not leave India without prior permission of the trial Court.

12. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

21.05.2026
Vinod

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No