



CRM-M-38691-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

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Decided on:25.03.2026

Sukhchain MasihPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Amarjot Kaur, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
Sukhchain Masih	0002	11.01.2025	115(2), 118(1), 190, 191 of BNS (Sections 109 of BNS was added later on)	Purana Shalla, District Gurdaspur

2. After hearing learned counsel for the petitioner on 22.07.2025 following was recorded:

- “1. xxx
2. Learned counsel for the petitioner submits that the name of the petitioner does not find mention in the FIR. However, his name was subsequently introduced in the case through the supplementary statement of the complainant – Sandeep Kumar.
3. The issue raised in the present anticipatory bail petition is that, as per the FIR, the actual assailant, to



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whom the injury dangerous to life is attributed, is named as 'Raja s/o Gurmeet Masih'. However, after a considerable delay of more than 2 months and 10 days, in a supplementary statement, the complainant sought to identify the petitioner – 'Sukhchain Masih s/o Hader Masih' – as the same person as the previously named accused, which is strongly disputed by the petitioner. It is further submitted that the petitioner is willing to join the investigation and fully cooperate with the investigating agency, provided he is granted protection from arrest.

4. Notice of motion

5. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.

6. Adjourned to 15.09.2025.

7. Learned State counsel shall file the comprehensive status report details therein the allegations and the substantive evidence to prove the allegations.

8. Till the next date of hearing, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing. ”

3. Learned counsel for the petitioner contends that compromise has been effected between the parties and that petition, i.e., CRM-M-12375-2026, seeking quashing of the FIR on the basis of the said compromise, has been filed and is now pending for 01.04.2026.

4. Noticing the contentions recorded in the order dated 22.07.2025 (supra) and status report, and considering the fact that compromise has been effected between the parties and quashing petition pursuant thereto has already been filed and is pending for 01.04.2026, this Court is of the view that petitioner need not be subjected to custodial interrogation at this stage.

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Accordingly, present petition is allowed, and petitioner is directed to join the investigation within two weeks from today or as and when called by the Investigating Officer concerned. In the event of his arrest, petitioner shall be released on bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. Petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

However, petitioner 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.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

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

5. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 25, 2026
rashmi

Whether Speaking/Reasoned: ~~YES~~/NO
Whether Reportable: ~~YES~~/NO