

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109 CRM-M-42327-2025 (O&M)
Date of decision: 12.03.2026

Kuldeep @ Kuldeep MasihPetitioner

Versus

State of Punjab ...Respondent

2) CRM-M-50783-2025 (O&M)

Sagar @ ManaPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ritesh Pandey, Advocate,
for the petitioner(s).

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. Subhash Kumar, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in both these petitions filed under Section 439 of Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.95 dated 07.11.2024, registered under Sections 103, 191(3), 190 of BNS at Police Station Qilla Lal Singh, Batala, District Gurdaspur.
2. Learned counsel contends that petitioner Kuldeep Masih (in CRM-M-42327-2025) has been in custody for 01 year, 03 months and 21 days, while petitioner Sagar @ Mana (in CRM-M-50783-2025) has been in custody for 01 year, 03 months and 08 days. The allegation against petitioner Kuldeep Masih is



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of having raised *Lalkara* and as per the FIR, no injury has been attributed to both the petitioners. Stab injuries have been attributed to co-accused Rajpal. Similarly circumstanced co-accused Jinda @ Sukhwinder Pal @ Sukhjinder Pal has been granted bail by a co-ordinate Bench of this Court vide order dated 19.02.2026 passed in CRM-M-67918 of 2025, after being in custody for more than 01 year and 03 months. Though charges have been framed on 18.03.2025, however out of 21 prosecution witnesses, only 02, including the complainant, have been examined. The petitioners are not involved in any other case.

3. The custody certificates 11.03.2026, filed by the learned State counsel are taken on record. As per the same, petitioner Kuldeep Masih (in CRM-M-42327-2025) is behind bars for 01 year, 03 months and 21 days and petitioner Sagar @ Mana (in CRM-M-50783-2025) is behind bars for 01 year, 03 months and 08 days.

4. Learned State counsel as well as learned counsel for the complainant oppose the bail on the ground that there was a specific role attributed to the petitioners are being exhorted the other co-accused upon which they had inflicted the injury. However, they are unable to controvert the submissions with regard to stage of the case, co-accused enlarged on bail and the petitioners being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that petitioner Kuldeep Masih (in CRM-M-42327-2025) is in custody for 01 year, 03 months and 21 days and petitioner Sagar @ Mana (in CRM-M-50783-2025) is in custody for 01 year, 03 months and 08 days; co-accused is on bail; not involved in any other case; charges were framed on 18.03.2025, only 02 out of 21 prosecution

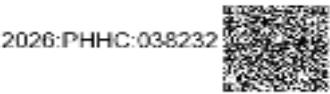


witnesses have been examined so far, the trial is likely to take considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioners are ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are accused, or for commission of which they are suspected of.
- (v) The petitioners shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioners shall not in any manner misuse their liberty.
- (vii) The petitioners shall furnish their addresses and mobile number by way of their respective affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioners shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioners.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as



granted to the petitioners by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

10. A photocopy of this order be placed on the file(s) of the other connected case (s).

(AMAN CHAUDHARY)
JUDGE

12.03.2026
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Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No