



CRM-M-44396-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-44396-2025  
Decided on: 29.09.2025

SUKHWINDER MASHI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

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

Mr. Manjinder Singh Bhullar, DAG, Punjab.

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SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sukhwinder Masih, aged about 28 years	0002	11.01.2025	115(2), 118(1), 190, 191 of BNS, 2023 and (Section 109 of BNS, 2023 added later on)	Purana Shalla	Gurdaspur

2. On 18.08.2025, following order was passed:-

*“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sukhwinder Masih, aged about 28 years	0002	11.01.2025	115(2), 118(1), 190, 191 of BNS, 2023 and (Section 109 of BNS, 2023 added later on)	Purana Shalla	Gurdaspur

2. *Learned counsel for the petitioner, inter alia, contends that the incident occurred on 06.01.2025 at approximately 6:00 p.m., but FIR was registered only on 11.01.2025, after a delay of five to six days. Petitioner's name is not mentioned in the FIR, and therefore, neither any specific injury can be attributed to him, nor it can be inferred that he harboured any grudge against the injured party.*

3. *Further, it is submitted that prosecution initially named the accused as Billa, who was later identified as the petitioner, Sukhwinder Masih. Injury attributed to the petitioner is with dattar blow on the backside of the injured, Sandeep Kumar, which has been medically opined as simple in nature.*

4. *It is further submitted that the injury classified as dangerous to life, has been attributed to the co-accused, Jaskaran Singh and Raja. However, petitioner is willing to join the investigation and cooperate fully, provided he is granted protection from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner 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 29.09.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner 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 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.”*

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 18.08.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 20.08.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 18.08.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

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.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

29.09.2025  
Lavisha

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