

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

Crl.Misc.No.M-6716 of 2015

Date of decision : 21.4.2015

Sham Masih

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....
Present : Mr.Manbir Singh Basra, Advocate
for the petitioner.

Mr. PJS Hundal, AAG, Punjab.

.....

MAHESH GROVER, J.

The petitioner prays for his release on bail in terms of Section 438 Cr.P.C. in a cross version under Sections 323/324/326/34 IPC to FIR No.27 dated 30.4.2014 under Sections 323/324/148/149/326 IPC registered at Police Station Ghuman Kalan, District Gurdaspur.

It is contended by the learned counsel for the petitioner that it is a case of cross version which emerged after one day of the occurrence with no serious role attributed to the petitioner as he was unarmed. It is also contended that Section 326 IPC was added later on.

Noticing the aforesaid contentions this Court on 3.3.2015 had granted the interim protection to the petitioner subject to the

compliance of the provisions of Section 438(2) Cr.P.C.

It is not in dispute that the petitioner has since joined the investigation as has been stated by the learned counsel for the petitioner and not controverted by the learned counsel appearing for the State of Punjab on instructions from ASI Bhapi Masih.

Having regard to the aforesaid, the interim directions dated 3.3.2015 are hereby absolute subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

Petition allowed.

21.4.2015

(MAHESH GROVER)
JUDGE

dss