

Sr. No.213

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

CRM No. M-3239 of 2018 (O&M)

Date of Decision: 03.04.2018

Punjab Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.205 dated 26.11.2017, under Sections 353/323/34 IPC, registered at Police Station Lopoke, Amritsar.

On 19.02.2018, the following order was passed by this Court:-

“FIR in question has been registered on the statement of ASI Kashmir Singh on the allegations that when the complainant along with certain other police officials went to the house of the accused/present petitioner to effect service of summons in relation to civil proceedings initiated by complainant Major Singh and Joga Singh, the accused not only declined but even assaulted the police party.

Counsel representing the petitioner argues

that it is a case of false implication. During the course of hearing today counsel has even adverted to the plaint as regards the civil suit initiated by Joga Singh and in which the present petitioner is not even a party respondent.

List for further consideration on 03.04.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

State counsel upon instructions from SI Balwinder Singh informs the Court that petitioner has since joined investigation. There is no recovery to be effected from the petitioner.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Prayer made in the petition is accepted.

Order dated 19.02.2018, passed by this Court is made absolute.

Disposed of.

03.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No