

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

**CRM-M-41491-2018
Date of decision: 18.12.2018**

Shamsher Singh and another **...Petitioners**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Navjot Singh, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in DDR No.001 dated 17.08.2018 under Sections 323, 324, 326, 148, 149 IPC, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur in FIR No.183 dated 14.08.2018 under Sections 323, 324, 148, 149 IPC, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

The operative part of the order dated 24.09.2018, vide which the petitioners have been granted interim bail, is reproduced below:

“Counsel for the petitioners submits that it is a case of version and cross-version and petitioner No.1- Shamsher Singh is the complainant in the main FIR No. 183 dated 14.08.2018 in which he has suffered as many as 11 injuries at the hands of the accused persons including fracture on his both hands. Counsel for the petitioners, as per the MLR of petitioner No.1- Shamsher Singh (Annexure P3), submits that the injuries sustained by him i.e injuries No. 1, 2, 4, 7 and 8

are declared grievous injuries. He further submits that petitioner No.1 is an old man aged about 70 years and, in-fact, it being a version and cross-version case, it is to be decided during the course of trial as to which party was aggressor. Learned State counsel, on instructions from ASI Hardeep Singh, submits that the petitioners be directed to join investigation. List again on 18.12.2018.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 24.09.2018, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Hardeep Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 24.09.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

December 18, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No