

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

CRM-M-19761-2019 (O&M)

Date of decision-23.05.2019

Shamsher Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
ASI Dharam Singh.

MANOJ BAJAJ, J.

CRM-15999-2019

Application is allowed as prayed for.

Annexures P-3 and P-4 are taken on record.

Main case

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.020 dated 23.02.2018 under Section 174-A of Indian Penal Code registered at Police Station Phul, District Bathinda. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner contends that the petitioner shall surrender himself before the Court where the complaint under Section 138 of Negotiable Instruments Act, 1881 is pending on or before 03.06.2019.

In the present case, FIR is for the offence punishable under Section 174-A of IPC. Learned counsel for the petitioner contends that in the nature of offence, custodial interrogation of the petitioner is not required.

On the other hand, learned State counsel assisted by ASI Dharam Singh does not dispute this fact that custodial interrogation of the petitioner is not required.

In view of the above, it is ordered, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the Arresting Officer. He shall join investigation as and when called for by the Investigating Officer. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition is allowed.

In case the petitioner fails to appear before the Court in the complaint case within the stipulated period, the petition shall be deemed to be dismissed.

(MANOJ BAJAJ)
JUDGE

23.05.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No