

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43881-2018 (O&M)

Date of decision: 12.02.2019

Shamsher Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

ASI Kashmir Singh.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.65 dated 26.06.2018 under Sections 324, 342, 34 IPC and Section 326 IPC (added later on), registered at Police Station Kathunangal, Amritsar Rural.

While granting interim anticipatory bail to the petitioner, following order was passed on 09.10.2018: -

“.....Allegation is that petitioner and other have given beatings to complainant's son Daljit Singh and petitioner is stated to have holding Datar in his hand and he had given Datar blow which has caused injury on the complainant's elbow of left arm and he fell down. Thereafter, one Gurjinder Singh had given kick blow to the complainant. On 5.10.2018, petitioner was asked to file an affidavit whether petitioner is involved in any other case or not. To that extent, an affidavit has been filed. Having regard to the role played by the petitioner read with the alleged date of incident on 23.6.2018 and FIR was lodged on 26.6.2018, petitioner is entitled

to anticipatory bail.....”

ASI Kashmir Singh, who is present in the Court, has submitted that the petitioner has joined the investigation and the weapon used in the commission of offence i.e. *Datar* has already been recovered and the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 09.10.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

12.02.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No