

213-3

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

CRM-M-29308 of 2019

Date of decision: September 10, 2019

Shamsher Singh alias Shera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gursharan Singh, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.59 dated 22.06.2019, under Sections 353, 186, 295, 149, 152 of Indian Penal Code, 1860, registered at Police Station Dhariwal, District Gurdaspur.

As per prosecution case, petitioner obstructed the complainant from discharging his official duty and his turban was removed.

On 12.07.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that co-accused of the petitioner, namely, Gurinderpal Singh @ Gora and others, with the similar allegations, have already filed CRM-M-27930-2019 and which is pending for 01.08.2019.

Notice of motion for 01.08.2019.

To be heard along with CRM-M-27930-2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 12.07.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 12.07.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 10, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No