

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37859-2019

Date of Decision: 26.11.2019

Shamsher Singh alias Shera

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Varinder Kaur Warraich, Advocate, for
Mr. G.K. Mann, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

Mr. Joginder Pal Dergan, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to an interim order having been passed in favour of the petitioner, learned State counsel on instructions from ASI Rasal Singh who is present in Court today to assist him, submits that the petitioner has joined investigation and his custodial interrogation is not required.

However, learned counsel for the complainant seeks time to place on record a pen drive stated to be showing that the petitioner was actually involved in the offence that he has been accused of.

It is seen that counsel for the complainant has been appearing right since 09.09.2019 and consequently, with the investigating agency itself not wanting the custodial interrogation of the petitioner, this petition has actually been rendered infructuous.

Consequently, subject to the petitioner continuing to join investigation as and when summoned, he would not be arrested without being given 07 days notice, in view of the statement made by ASI Rasal Singh, who is present in Court today to assist learned State counsel.

The petition is disposed of.

Obviously, if the complainant is aggrieved in any manner, including by lack of proper investigation, he would be always at liberty to avail of his remedies in law, including by placing on record any CCTV footage that he wishes to (in appropriate proceedings), in terms of Section 65-B of the Evidence Act, 1872.

November 26, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.