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

CRM-M-38750 of 2019 (O&M)

Date of decision: September 16, 2019

Shingara Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

Mr. G.S. Madaan, Advocate for the complainant.

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.150 dated 20.08.2018, under Sections 328, 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 307 of IPC added later on), registered at Police Station Shahkot, District Jalandhar.

On 12.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that in CRM M-43929 of 2018 filed by coaccused of the petitioner, this Court has already granted interim protection and the same is pending for 16.09.2019.

Notice of motion for 16.09.2019.

To be heard along with CRM M-43929 of 2018.

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 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 12.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 12.09.2019 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 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No