

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-35202-2023
Date of decision: 21.09.2023

SHAMSHER SINGH @ SHERA AND ANOTHERPetitioners

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Rakesh Sobti, Advocate with
Mr. Jaskirat Singh Arora, Advocate
for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C. has been preferred by the petitioners seeking anticipatory bail in the event of arrest in FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
0027	17.05.2023	Sections 323, 324, 148, 149 IPC (326 added later on)	Mehta, Amritsar Rural

2. Learned counsel for the petitioner submits that present petition qua petitioner No.2, namely, Sukhjinder Singh @ Happy has already been withdrawn on the last date of hearing i.e. 25.08.2023. Accordingly, the petitioner No.1, namely, Shamsher Singh @ Shera was directed to join investigation.

3. He further submits that in compliance to the order dated 25.08.2023 passed by this Court, the petitioner No.1, namely, Shamsher Singh @ Shera has already joined in the investigation.

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4. Learned State counsel, on instructions from S.I. Baldev Singh, submits that the petitioner No.1 had joined in the investigation in the case and is no more required for further investigation. Learned State counsel further submits that the petitioner No.1 is no more required for any custodial interrogation in this case.

5. Keeping in view the respective submissions made by learned State counsel and the fact that the petitioner No.1 had already joined the investigation and is no more required for further investigation nor he is required for any custodial interrogation, interim bail granted vide order dated 25.08.2023 is hereby confirmed in the present FIR No. 0027, dated 17.05.2023, under Sections 323, 324, 148, 149 IPC, Section 326 (added later on), subject to conditions as envisaged under Section 432(2) Cr.P.C., that the petitioner No.1 will join the investigation as and when so required; will not tamper with the evidence and will not leave the country without prior permission and will appear in Court on each and every date of hearing.

6. The petition stands allowed qua petitioner No.1.

(SANJIV BERRY)
JUDGE

21.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |