

2025:PHHC:044360



208.

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

CRM-M-145-2025

Date of decision: 02.04.2025

Shamsher Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harchand Singh Batth, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail, under Section 482 of BNSS, 2023, in case FIR No.94, dated 28.09.2024, under Sections 115(2), 118(1), 307, 351(2), 351(3), 299, 3(5) of BNS, registered at Police Station Khemkaran, District Tarn Taran.

2. On the last date of hearing i.e. 08.01.2025, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that the petitioner has been attributed a simple injury on the little finger of the complainant in the occurrence in question; it has been further falsely alleged that the petitioner snatched the mobile handset of the complainant before fleeing the spot along with the co-accused. Learned counsel submits that a false and fabricated case having been brought from against the petitioner is evident from the unexplained delay of five days in the lodging of the FIR in question. It has also been contended

by the learned counsel that identically placed co-accused Mohkam Singh @ Jora Singh has already been extended the concession of interim bail by this Court vide order dated 18.12.2024 (Annexure P-1).”

3. Learned counsel for the petitioner submits that in compliance of order dated 08.01.2025, petitioner has joined investigation and cooperated with the investigating agency.

4. Short reply by way affidavit dated 01.04.2025 of Preetinder Singh, PPS, Deputy Superintendent of Police, Sub Division Valtaha, camp at Bhikhiwind, District Tarn Taran, on behalf of respondent-State, has been filed in Court today, which is taken on record.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 08.01.2025, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

April 02, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No