IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3235 of 2015 (O&M)
Date of decision:-25.5.2015.

Husna Begam and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Tejinder Pal Singh, Advocate for the petitioners.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Mohd. Yousaf, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J. (ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C seeking the concession of anticipatory bail to the petitioners in case FIR No. 22 dated 08.03.2014 registered under Sections 452/325/323/341/148/149/326/211/203/182/194/120-B IPC at Police Station Ahmedgarh, District Sangrur.

While issuing notice of motion, the following order was passed by this Court on 09.2.2015.

*"**CRMNo. 4362 of 2015***

Application is allowed as prayed for.

Documents at Annexures P-5 to P-7 are taken on record.

CRM No. M-3235 of 2015

Learned counsel appearing for the petitioners, at the very outset, would submit that the injury which has attracted the offence under Section 326 I.P.C stands attributed to

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petitioner no.4 and as such, would not be pressing the instant petition seeking the benefit of pre-arrest bail qua him.

Accordingly, the instant petition in so far as petitioner no.4 i.e. Gaus Mohd. Son of Jamu Khan, stands dismissed.

In so far as petitioners no.1, 2 and 3 are concerned, it has been contended that the name of petitioner no.1 does not even figure in the F.I.R and as far as petitioners no.2 and 3 are concerned, only soti blows have been attributed.

Notice of motion, returnable for 25.5.2015.

In the meanwhile, petitioners no.1, 2 and 3 are directed to join investigation and appear before the Investigating Officer. In the event of arrest, the petitioners no.1, 2 and 3 be released on interim bail subject to the satisfaction of the arresting/investigating officer. They shall join investigation as and when called upon to do so and shall remain bound by the conditions enumerated under Section 438 (2) Cr.P.C."

Learned State counsel upon instructions from ASI Khalil Khan has apprised the Court that the petitioners No. 1 to 3 have joined the investigation.

It may also be noticed that petitioner No. 4 namely, Gaus Mohd. Son of Jamu Khan qua whom the instant petition has been dismissed at the very initial stage and to whom the injury have been attributed, attracting offence under Section 326 IPC has since been arrested.

It has also gone uncontroverted that the name of petitioner No. 1 did not even figure in the FIR and only *soti* blows were attributed to petitioners No. 2 and 3.

Accordingly, the instant petition is allowed.

Order dated 09.02.2015 passed by this court is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

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