

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

Date of decision:24.02.2016

Jaswant Kaur and another

.....Petitioners

v.

State of Punjab and another

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.LS Mann,Advocate for the petitioners

Ms.Rimplejeet Kaur,AAG Punjab

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail to two petitioners in complaint case no.50 dated 1.3.2013 under Sections 427, 447,448, 452,506 IPC and Section 3 of the SC/ST Act pending in the Court of learned JMIC,SBS Nagar.

It is submitted that the dispute between the two rival parties is over a passage between their houses. The complainant party claims it to be a public passage,whereas the petitioners- accused claim it to be a private passage.

It is contended that false allegations of the accused party having entered their house and inflicting injuries while passing castiest remarks have been levelled as neither there is any manner nor there was

public view.

Learned counsel for the petitioners states that after passing of the order by this Court on 25.1.2016 permitting petitioners to surrender before the trial court within 10 days in order to seek their release on interim bail, complainant vide his statement dated 28.1.2016 has withdrawn the complaint, therefore, he submits that the present petition has become infructuous.

Learned State counsel on instructions from HC Joginder Singh does not deny the fact of order dated 28.1.2016 passed by JMIC, SBS Nagar withdrawing the complaint in view of his statement.

In view of the above, present petition is dismissed as having become infructuous.

24.02.2016
joshi

(Jaswant Singh)
Judge