

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

**Date of decision:26/05/2016.**

Mohd.Issa and others

.....Petitioners

vs

State of Punjab

.....Respondent

**CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH**

Present:- Mr.GN Malik,Advocate for the petitioners

Mr.Kirat Singh Sidhu,DAG Punjab assisted by  
ASI Harnek Singh

Mr.DS Malwai,Advocate for the complainant.

**Jaswant Singh,J(Oral)**

Prayer is for grant of anticipatory bail on behalf of four petitioners namely Mohd.Issa, Suraj Mohd., Mohd.Yamin and Sudhagar Mohd., in case FIR No. 60 dated 5.12.2015 under Sections 457, 380, 447, 294, 323, 506, 120-B IPC, PS City Ahmedgarh, Distt. Sangrur.

Petitioner no.1 Mohd.Issa is owner of the shop having purchased it from previous owner Fazal Din in the year 2011. As per allegations levelled by complainant Mohd.Ramzan,petitioners have forcibly taken possession of the shop and removed the articles/committed theft of articles.

It was contended that the petitioner no.1 is an elected Municipal Councilor and the complainant on mutual understanding had vacated the possession,however, he has on instigation by political opponents put back the articles in the shop. It was further submitted that the petitioners were ready and willing for an amicable settlement of the matter.

In view of the contentions raised on behalf of petitioners, vide order dated 8.1.2016 notice of motion was issued and interim protection was

**granted with a direction to petitioners to join investigation.**

At the time of hearing, it is submitted that possession of the premises in question has been handed back to the complainant.

Learned counsel for the State assisted by ASI Harnek Singh as also the counsel for complainant do not refute the factual position that possession of the premises has been handed back to the complainant. It is thus clear that custodial interrogation of the petitioners is no longer required.

In view of the above, interim bail granted vide order dated 8.1.2016 is made absolute.

Disposed of.

**26.05.2016**  
joshi

**(Jaswant Singh)**  
**Judge**