

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

CRM-M No.41654 of 2015 (O&M)

Date of Decision: 12.02.2016

Harcharan Singh and another

..... Petitioners

Vs.

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vipin Mahajan, Advocate for the petitioners.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Balkar Singh.

JASWANT SINGH, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioners, namely, Harcharan Singh and Gurmeet Kaur, who have been booked for having committed the offences punishable under Sections 454, 380 of the Indian Penal Code, in a case arising out of FIR No.219 dated 28.09.2015, registered at Police Station Jandiala Guru, District Amritsar.

The complainant-Surjit Singh has alleged that his married son Harcharan Singh/petitioner No.1 and the wife of the other son Balbir Singh i.e. petitioner No.2 are restraining him from entering the ancestral house of the complainant. They are alleged to have taken the possession of the said house and also trying to take forcible possession of the agricultural land. The complainant, 88 years' old, is stated to be residing with his married daughter Satinder Kaur and her husband for the last 5/6 years.

While issuing notice of motion and grant of interim protection on 09.12.2015, it was conveyed that the petitioners were ready to settle the family dispute with their complainant father/father-in-law.

Accordingly, notice was also ordered to be issued to the impleaded complainant-Surjit Singh.

At the time of hearing today, learned Counsel for both the parties submit that the complainant-Surjit Singh has since died on 11.01.2016.

Learned State Counsel, assisted by HC Balkar Singh, submits that the petitioners have since joined the investigation and their custodial interrogation is no longer required.

In view of the above, interim protection/pre-arrest bail granted by this Court, vide order dated 09.12.2015, is made absolute.

Disposed of.

February 12, 2016

Gagan

**(JASWANT SINGH)
JUDGE**