

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

CRM-M No.42458 of 2015

Date of Decision:-08.02.2016

Nazbun Khatoon & Ors.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Krishan Sehajpal, Advocate for the Petitioners.

Mr. R.S. Randhawa, Additional Advocate General, Punjab
assisted by ASI Darshan Kumar

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners namely Nazbun Khatoon, Sahib Sheikh, Khusvano Khatoon, Sheikh Muslim, Aurangjeb Khan and Bhutto Mian case FIR No.157 dated 13.10.2015 for offences punishable under Sections 323, 341, 149 IPC later on added Sections 452 and 308 of Indian Penal Code registered with Police Station Bhargo Camp, District Jalandhar City, Punjab.

It is contended that a serious altercation had occurred on the intervening night of 9/10.10.2015 on account of prior quarrel amongst the children. It is further contended that as per the MLR Annexure P-1 recorded at 9.10 am on 10th morning, it is apparent that

the petitioner no.4 had suffered injuries. It is next contended that as a counter blast to the complaint before the police by the petitioners, the complainant after getting himself examined on 13.10.2015 in a private hospital lodged the FIR with a false story. It is next contended that no offence under Section 308 IPC is made out.

Learned Counsel for the petitioners submits that pursuant to the interim order passed by this court petitioners no.1 to 4 and 6 have joined the investigation and he withdraw his petition qua petitioner no.5 who has been arrested on 24.12.2015.

Learned State counsel on instructions from ASI Darshan Kumar submits that pursuant to the interim order passed by this court petitioners no.1 to 4 and 6 have joined the investigation and are no longer required for custodial interrogation. It is further submitted that challan in the present case is yet to be presented.

In view of the above, interim protection/pre-arrest bail granted vide order dated 17th of December, 2015 qua petitioner nos.1 to 4 & 6 is made absolute whereas petition qua **petitioner no.5 Aurangjeb Khan** is hereby dismissed as withdrawn.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 08, 2016
Vinay