

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

CRM-M No. 5413 of 2016 (O&M)

Date of Decision: 18.02.2016

Baldev Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. K.B. Raheja, Advocate
for the petitioners.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State assisted by ASI Balwinder Singh.

Mr. Nakul Sharma, Advocate
for the complainant-Raj Kaur.

JASWANT SINGH, J. (ORAL)

Prayer in the present petition on behalf of the accused/petitioners-Baldev Singh and Gurbhej Singh @ Gora is for grant of regular bail in case FIR No. 43 dated 28.05.2015, for offences punishable under Sections 302, 323, 148, and 149 of the Indian Penal Code, registered at Police Station Mallanwala, District Ferozepur.

As per eye-witness account of the injured-complainant-Raj Kaur on account of encroachment of the accused-party found on alleged demarcation, the accused party including the present petitioner No. 1-Baldev Singh armed with .12 bore gun and Gurbhej Singh @ Gora (petitioner No. 2 herein) armed with *Gandasi* launched an attack on Nishan Singh (husband of the complainant), which resulted into his death.

There are allegations of having been repeatedly run over by the tractor, fourteen injuries on the person of the deceased and five injuries on the persons of complainant.

Both the petitioners are stated to be in custody since 17.06.2015.

Learned State Counsel, assisted by ASI Balwinder Singh, is unable to refute the aforesaid factual position.

After arguing for some time, learned counsel for the petitioners seeks permission to withdraw the present petition.

Dismissed as withdrawn.

February 18, 2016

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**(JASWANT SINGH)
JUDGE**