

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16213-2018

Date of decision: 27.04.2018

Roshan Din and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.P.S. Rahi, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Nikhil Kumar, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.64 dated 27.02.2018 under Sections 328, 451, 149 IPC, registered at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioners submits that as per allegations in the FIR, complainant Gokuli wife of Mohd. Sharif is residing with her son and daughter-in-law, as her husband Mohd. Sharif has performed second marriage with Sheena. Said Mohd. Sharif has given an affidavit dated 29.01.2018 regarding some settlement and on 24.02.2018 at about 12.00 Noon, all the accused persons in conspiracy with each other came to residence of the complainant and demanded the stamp papers, on which affidavit has been written, given by Mohd. Sharif. On refusal, all the accused persons caught hold of her and put some poisonous substance in her mouth. At that time, her daughter-in-law was present, she raised an alarm, people gathered and saved the complainant. On seeing, all the accused persons ran away leaving the tractor

and trolley at the spot. The complainant became unconscious and her son took her to Civil Hospital, Phillaur.

Learned counsel for the petitioners further submits that in fact it is a family dispute, which has been given a colour of criminal litigation on account of giving some affidavit by co-accused Mohd. Sharif and the petitioners have been falsely implicated in the present case/FIR, because they are relating to Mohd. Sharif.

Learned State counsel, on instructions from ASI Premjit Singh and assisted by learned counsel for the complainant, submits that as per OPD slip, the complainant was brought to GH, Phillaur with the alleged history of forcibly administering of some poisonous substance and thereafter, she was admitted in Arora Nursing Home, Phillaur on the same day at about 09.00 p.m. and the doctor has given an opinion that she was being treated for taking some poisonous substance. It is further submitted that in fact, co-accused Mohd. Sharif @ Shaffi had left the complainant and has re-married with another co-accused Sheena, on account of settling previous enmity, has forcibly administered poison to the complainant.

Considering the fact that there are serious allegations against the petitioners, I find no ground to grant the concession of anticipatory bail to the petitioners.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

27.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No