

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

[1] Criminal Misc.-M No.43971 of 2018 (O&M)
Date of Decision: January 25, 2019.

RuksinaPetitioner
versus
State of HaryanaRespondent

[2] Criminal Misc.-M No.50617 of 2018 (O&M)
Date of Decision: January 25, 2019.

ShokeenPetitioner
versus
State of HaryanaRespondent

CORAM: HON'BLE MR.JUSTICE GURVINDER SINGH GILL.

Present: Mr.Mazlish Khan, Advocate, for the petitioner(s)
Ms.Aditya Girdhar, AAG, Haryana.
Mr.Afzal Hussain, Advocate, for the complainant.

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Gurvinder Singh Gill, J. (Oral)

This order shall dispose of the above mentioned two petitions filed on behalf of the petitioners Ruksina and Shokeen seeking grant of anticipatory bail in case FIR No.112 dated 20.06.2018 registered at Police Station Pinangwan, District Nuh under Sections 323, 325, 452, 506, 34 IPC.

The FIR in the present case was lodged at the instance of complainant-Saddik son of Fajar Ali, wherein it has been alleged that on the day of occurrence, Shokeen, his wife Ruksina and his daughters Busra and Anjum entered the house of the complainant armed with sticks and Axe on 15.06.2018 at 6.30 p.m. and started giving beatings. It is alleged that Shokeen gave axe blow on the head of the complainant's daughter Sakruna while Busra gave a stick blow on the left knee of Sakruna and Anjum gave blow with stick on the left elbow of Sakruna. It is further alleged that the

aforesaid accused gave fists and kick blows to the complainant and his wife.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case and in fact, it is a case where there was quarrel between the children of the complainant and children of the accused and in any case, at the best, it is a case of 325 IPC.

Opposing the petitions, learned State counsel assisted by counsel for complainant has pointed out that in fact MLR of Sakruna reveals that he has sustained incised wound of 2 c.m. over mid parietal region and upon x-ray examination one fracture was also found to be there on outer cortex of frontal bone on right side of the head. As per the information furnished by the Doctor, injury has been declared to be grievous in nature.

Having regard to the facts and circumstances of the case and the nature of injury, in my opinion, no case for grant of anticipatory bail to the petitioner-Shokeen, who has attributed the aforesaid grievous injury, is made out. The petition on behalf of Shokeen, as such, is dismissed. However, the petition on behalf of Ruksina, who is not attributed any injury and has already joined the investigation, is allowed and interim directions dated 05.10.2018 are hereby made absolute. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions are provided under Section 438(2) Cr.P.C.

January 25, 2019
mohinder

(GURVINDER SINGH GILL)
JUDGE