

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54687-2018
DATE OF DECISION:-10.04.2019

SAHIL AND ANR.

...PETITIONERS...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Imran Farooqi, Advocate
for the petitioners.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioners, in case, FIR No.106, dated 04.10.2017, under Sections 323, 452, 148 and 149 IPC, Police Station City-I, Malerkotla, District Sangrur (P-1).

According to the prosecution, in the morning of 04.10.2017, petitioners gave beatings and caused injuries to their father (complainant) with iron rod and lathi by trespassing his house.

Learned counsel contends that during medico legal examination of the complainant, no grievous injury was found. The injury suffered by the complainant falls under Section 323 IPC, which is a bailable offence. The allegations under Section 452 IPC against the petitioners are false, because the complainant has already gifted his

house to the petitioners. In fact, civil court has held the possession of the petitioners over the house, which is allegedly trespassed by the them. Therefore, there is no question of any trespass.

Since, the petitioners have beaten up their father, therefore, they do not deserve any concession of anticipatory bail.

At this stage, learned counsel for the petitioners prays for withdrawal of instant petition.

Dismissed as withdrawn.

10.04.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No