

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-9844-2023
Date of decision : 02.05.2023

Malkeet Singh

..... Petitioner

V/S

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Karandeep Singh, Advocate for the petitioner.

Mr. Jaiteshwar S.Bhandari, AAG, Punjab.

AMARJOT BHATTI J. (ORAL)

The petitioner-Malkeet Singh has filed the instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 140 dated 07.12.2022, registered under Sections 452, 354, 341, 323, 148, 149 of IPC, at Police Station Khuian Sarwar, District Fazilka.

The facts of the case are that the complainant gave her statement that she is a house wife. An incident took place on 01.12.2022 at about 10:00 AM in which she had received injury. At that time her brother-in-law Sukhjinder Singh @ Chhinda and husband were present at home. Kulwinder Singh, Malkit Singh, Manprit Singh, Veerpal Kaur had trespassed into their house. Bittoo was also accompanying them. Veerpal Kaur was armed with a sword, Kulwinder Singh armed with spade, Malkit Singh armed with lathi, Manprit Singh armed with spade whereas Bittoo was empty handed. Except Bittoo and Kulwinder Singh, the others caught hold of her and dragged into their house. She was tied with a wooden pillar and they outraged her modesty and gave beating to her. She was given kick blows on her private parts as well as stomach. Kulwinder Singh bite on little finger of her left hand. In this

quarrel her gold ear-rings fell down. She was rescued by her brother-in-law and was taken to Civil Hospital Abohar where she was given medical aid.

Learned counsel for the petitioner argued that the allegations levelled against him are false. He was granted interim relief and he has already joined the investigation. He is ready to abide by the terms of the bail order. Therefore, his anticipatory bail may be allowed.

Learned State counsel has filed status report, which is taken on record. It is pointed out that during investigation Veerpal Kaur and Bittoo were declared innocent, whereas Malkit Singh has joined investigation on 26.03.2023. The co-accused Kulwinder Singh has also filed separate application for anticipatory bail.

I have considered the arguments and have gone through the record carefully. From the status report, it is clear that the petitioner has joined investigation. ASI Gurmeet Singh alleged that custody is not required. Since the petitioner has joined the investigation and no custodial interrogation is required. Therefore, the anticipatory bail application filed by the petitioner is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Investigation Officer/Arresting Officer subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is accordingly accepted.

(AMARJOT BHATTI)
JUDGE

02.05.2023.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No