

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1)

CRM-M-18334-2023

Date of Decision:- 19.05.2023

Prempal Singh

...Petitioner

Versus

State of Punjab

...Respondent

(2)

CRM-M-18473-2023

Major Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Mandeep Kaur, Advocate for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioners – Prempal Singh and Major Singh have filed separate petitions under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 94 dated 26.05.2020, registered under Sections 323, 326, 324, 354, 354-B, 148 and 149 of I.P.C. at Police Station Ghuman, District Gurdaspur, Punjab. These petitions have arisen out of the same FIR, therefore, are taken up together for disposal.

The facts of the case are that Ravel Singh – complainant gave his statement to the police that he is an agriculturist by profession. He is

having family relations with Sawanjit Singh. On 19.05.2020 at about 05:00 P.M. he came out in the street and saw that Harjinder Kaur, aged about 20 years who is the sister of Sawanjit Singh was going to her house. Major Singh, Balraj Singh and Mangal Singh came out of the house of Mangal Singh. Balraj Singh outraged the modesty of Harjinder Kaur with the help of Mangal Singh. On the protest raised by Harjinder Kaur, Major Singh caught hold of her from her hair and pulled her. The complainant came forward to rescue the girl. On this, they took out weapons by going inside the house of Mangal Singh. In the meantime, Dalbir Singh empty handed, Prempal Singh armed with *dang*, Lovepreet Singh armed with baseball bat, Lakhwinder Singh armed with *dang* and Sukhwinder Singh armed with *dang* came there. Dalbir Singh raised a *lalkara* and on this he was caused injuries by the aforesaid persons as detailed in the FIR. On the alarm raised by them, people started gathering there and the aforesaid persons managed to escape with their respective weapons. He was caused injuries as he prevented the accused persons from teasing the girl. He was taken to Civil Hospital, Batala. With these allegations present FIR has been registered.

Learned counsel for the aforesaid petitioners argued that they are falsely implicated in this case. They have already joined the investigation. Even otherwise, the matter has been compromised between them with the intervention of respectables. They are still ready to join the investigation and abide by the terms of bail order. Therefore, their anticipatory bail applications may be allowed.

The bail applications are opposed by learned counsel representing the State. Learned State counsel confirmed that the aforesaid petitioners have joined the investigation and they are not required for any other purpose.

I have considered the arguments and have gone through the record carefully. The present petitioners are the accused in the main FIR. The cross-version has been registered on the statement of Major Singh, who is one of the petitioner in this case. As referred above, both the parties confirmed that the matter has been compromised and they are ready to abide by the terms of bail order. No purpose would be served by sending them behind the bars. Therefore, the anticipatory bail applications filed by the petitioners – Prempal Singh and Major Singh are allowed. They be not arrested. In case of their arrest, they be released on bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as enshrined under Section 438(2) Cr.P.C.

The petitions are, accordingly, accepted.

Photocopy of this order be placed on the file of another connected case.

19.05.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No