



CRM-M-429-2025

1

211 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-429-2025
Date of decision: 24.03.2025

PARDEEP SINGH**....Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

AMARJOT BHATTI, J.

Petitioner has filed the present petition under Section 482 of BNSS, 2023 Cr.P.C. for grant of anticipatory bail in FIR No.193, dated 23.09.2020, under Sections 376-D, 365, 342 and 506 IPC, registered at Police Station Khui Khera, District Fazilka.

2. As per facts of the case, FIR is registered on the complaint of prosecutrix that she is married lady. On 20.09.2020 at about 8.00 p.m., she went outside the house to attend the call of nature. When she reached near the property of Gurmej Singh, there Pardeep Singh, Sarabjit Singh and one unknown person stopped her. They gagged her mouth and took her inside. Sarabjit Singh gagged her mouth. Third person caught hold of her arms then Pardeep Singh committed rape with her. Sarabjit Singh threatened her that in case she raised alarm then she would be killed. Thereafter, Sarabjit Singh committed rape with her. When the third unknown person came, she raised alarm. In the meantime, her neighbour-Gulab Kaur reached on the



spot. She returned to her home and disclosed about the occurrence to her husband. On the next day she was medically examined and her statement was also recorded.

3. Learned counsel for petitioner argued that allegations levelled against the petitioner are false. During investigation DNA of present petitioner and co-accused Sarabjit Singh were obtained for comparison with the swabs and DNA sample drawn from the prosecutrix and the same did not match. There was previous dispute regarding use of street regarding which another FIR No.157 dated 24.07.2020 and a cross version case was registered. They were being pressurized by Nahar Singh Namabardar and his son to effect compromise but they refused, and for this reason they are falsely implicated in this case. The investigating agency presented untrace report on 01.04.2022 which was rejected and the case was sent for further investigation. Again cancellation report has been filed and the same is rejected by learned Judicial Magistrate 1st Class, Fazilka and the petitioner is summoned under Section 190 Cr.P.C. vide order dated 04.09.2024 (Annexure P-2). Present petitioner was granted interim bail vide order 10.02.2025 and accordingly he has appeared before the learned Judicial Magistrate 1st Class Fazilka/Duty Magistrate and joined the proceedings. Petitioner is ready to abide by the terms of bail order, therefore his anticipatory bail application may be allowed.

4. Status report is filed, aforesaid factual position is admitted. It is pointed out that the complainant did not agree with the cancellation report. As a result, learned Judicial Magistrate 1st Class, Fazilka by exercising powers under Sections 190(1)(b) Cr.P.C. took cognizance and summoned the accused under Sections 376-D, 365, 342 and 506 IPC vide



order dated 04.09.2024 (Annexure P-2). At present petitioner along with co-accused are required to appear before the trial Court.

5. I have considered the aforesaid factual position. In pursuance to the order dated 10.02.2025 present petitioner was granted interim bail to the satisfaction of arresting officer/investigating officer and later on the said order was modified and petitioner was granted interim bail to the satisfaction of Judicial Magistrate 1st Class, Fazilka/Duty Magistrate. Present petitioner has already put his appearance. He is not required for further investigation. No purpose would be served by sending him behind the bars. Therefore, at this stage, without expressing my mind on the merits of the case, interim bail already granted by this Court/Bench on 10.02.2025 is confirmed subject to the conditions envisaged under Section 482 (2) BNSS.

6. Petition is, accordingly, disposed of.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

24.03.2025
monika

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No