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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

CRM-M-12153-2026(O&M)

Reserved on: 06.05.2026

Pronounced on: 08.05.2026

Uploaded on: 08.05.2026

SUKHWINDER SINGH @ SHINDER SINGH**...Petitioner****VERSUS****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**Argued by: Mr. Kuldeep Singh, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Mr. Armaan Gagneja, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No. 21 dated 04.02.2025 under Sections 64, 331(3) of Bharatiya Nyaya Sanhita, 2023, Police Station Lambi, Tehsil Malout, District Shri Muktsar Sahib. This is the first petitioner for regular bail.

2. Complainant stated that she had three children and her eldest daughter 'A' was deaf and mute since birth. She understood all her signs since childhood and taught her domestic work through sign language. About 16 years ago, 'A' was married to Kala Singh, resident of *Tarmala* and had two children from him. 'A' lived with her in-laws. In the night of 01.01.2025, there was a *Jagrata* in the house of A's brother-in-law Bintu Singh. Many relatives and siblings were visiting the house including Chhinder Singh son of Gopi. When



all relatives were sitting in the *Jagrata*, Chhinder Singh entered the room of 'A' and taking advantage of her situation, forcibly committed rape. 'A' explained the incident to her sister-in-law but she could not understand her. Later, when they were sitting amongst relatives, 'A' used signs to tell her brother Satnam Singh about the incident on 04.01.2025, through a video call. Her son Satnam Singh and husband reached village *Tarmala* on 05.01.2025. As 'A' was not well, she was admitted in Civil Hospital, Malout for treatment. Her MLR was issued. Police came to take her statement but 'A's husband Kala Singh refused saying that 'A' was deaf and mute, physically weak and that no wrong act had taken place. However, as per sign language of 'A', Chhinder Singh had forcibly raped her.

3. Learned counsel for the petitioner submits that FIR was registered on complaint of mother of the prosecutrix. Petitioner was in custody for the last 01 year. Investigation of the case was complete. He further submits that before lodging of the FIR, husband of the prosecutrix refused for her statement saying that no wrong act had happened and that 'A' was physically weak. Considering the period of custody and the fact that trial would take long time to conclude, petitioner deserved to be enlarged on bail.

4. Learned State counsel has filed custody certificate and opposed the prayer for regular bail submitting that the FIR itself disclosed that husband of the prosecutrix refused for her statement and the matter could not be reported at the earliest, on account of physical incapacity of the prosecutrix, who was deaf and dumb. In her statement recorded under Section 164 Cr.P.C., through experts namely Amandeep Kaur and Navkiran Kaur Translators, she made it clear



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through sign language that when she was sleeping in her house, uncle of her *Devrani* (sister-in-law) raped her forcibly.

5. Allegations against the petitioner are grave. Prosecutrix is deaf and mute. Her statement is yet to be recorded. Petitioner is her relative. The Court has every reason to believe that in case the petitioner is enlarged on bail, he would attempt to pressurize the victim, who is physically and mentally vulnerable. Considering the nature and substance of allegations, as also the relationship of the petitioner with the prosecutrix, it is not a fit case to enlarge the petitioner on bail. The petition is dismissed.

6. Nothing observed hereinabove shall be construed as an opinion on merits of the case.

7. Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

May 08, 2026

Ajay Goswami

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No