

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

CRM-M No.25014 of 2016 (O&M)

Date of decision: 29th July, 2016

Varinder Kumar @ Bhairon

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. A.P. Singh, Advocate for
Mr. Gurnam Singh, Advocate
for the petitioner.

Mr. C.S. Brar, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Varinder Kumar @ Bhairon in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.79 dated 15.10.2015 registered at Police Station Kheri Gandian, District Patiala under Section 302/201/34 IPC, are that in the year 1999 one Ajaib Singh was found dead and thereafter nothing transpired about whereabouts of the occurrence and subsequently on 15.10.2015 on the basis of secret information the present case was got registered regarding the petitioner having been instrumental in this death of Ajaib Singh.

Contentions of the learned counsel for the petitioner that it was after 16 years of the murder the petitioner has been named when there is not even an iota of evidence to link him with the commission of offence and only semblance of evidence is confession statement reported to have been recorded by the police.

The factual scenario is conceded to by the learned State counsel on instructions from ASI Sukhwinder Singh, Police Station Kheri Ganduan.

In view of the contentions of counsel for the petitioner that petitioner is in custody since 15.10.2015 coupled with the fact that the investigation and trial will take a long time to conclude and that the evidence so collected whether falls in the realm of legal evidence being a debatable issue, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Patiala.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

July 29, 2016

rps

Whether speaking/reasoned Yes

Whether reportable No