

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

**CRM-M-37612 of 2016 (O&M)
Date of Decision: January 20, 2017**

Varinder Kumar @ Bhairon

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. P. S. Paul, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner Varinder Kumar @ Bhairon in this second regular bail application under Section 439 Cr.P.C are that an FIR No.216 dated 10.10.2015 under Section 302, 34 IPC was registered at Police Station City Rajpura, District Patiala under various offences including Section 302 and 34 IPC regarding an RMP doctor Pushpinder Kumar having gone missing and that the allegations against the petitioner have subsequently cropped up that the petitioner along with his co-accused Gurcharan Singh and Baljinder Singh @ Bagga have been instrumental in his disappearance 16 years ago.

Learned counsel for the petitioner contends that the similarly placed co-accused have already been allowed bail and there is no evidence against the petitioner to connect him with the commission of offence and the inordinate delay further undermines the pathetic state of

investigation in this case.

Though, on behalf of the State the bail application is stoutly opposed, however, keeping in view that it is almost after more than 16 years the allegations have cropped up and it is duly acceded at bar by the learned State counsel that there is no evidence against the petitioner except the statement of Sunil Kumar which has also come belatedly after more than 16 years and that the petitioner is in custody and the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present application for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

January 20, 2017

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