

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

**CRM No.M-9741 of 2017 (O&M)
Date of Decision: 05.04.2017**

Ranjeet Singh @ Jeetu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. SPS Sidhu, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.46, dated 26.06.2016, under Sections 302/201/120-B/506/34 IPC, registered at Police Station Talwandi Chaudharian, District Kapurthala.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Gurmeet Singh. As per statement of Gurmeet Singh, marriage of his daughter Sandeep Kaur was solemnized with Lakhwinder Singh on 18.10.2007 and out of wedlock two children were born. It has been alleged that Lakhwinder Singh i.e. son-in-law of the complainant used to constantly harass his wife. On 08.06.2016, Sandeep Kaur is stated to have come back to his parental house. Thereafter, complainant got a missing report lodged on 24.06.2016 by stating that his daughter has gone missing from her parental home w.e.f. the intervening night of 18/19.06.2016.

Even though, the body of Sandeep Kaur has not been recovered till date, yet offence under Section 302 IPC has been cited on the ground that co-accused Lakhwinder Singh has suffered a confessional statement before Pargat

Singh and Virender Singh that he in conspiracy with the present petitioner had eliminated Sandeep Kaur and had thrown her body in a canal. As per prosecution, there is even last seen evidence as per statements of Faqir Singh, Sukhjit Singh and Parminder Singh with regard to the present petitioner and Lakhwinder Singh proceeding in a zen car along with a lady.

Petitioner has been in custody since 28.06.2016.

It is a case of circumstantial evidence. The body of Sandeep Kaur has not been recovered till date.

Implication of the petitioner is on the strength of an alleged confessional statement made by co-accused Lakhwinder Singh i.e. husband of Sandeep Kaur and even in such confessional statement, there is no overt act/role attributed to the present petitioner.

The offence under Section 302 IPC, whether made out against the petitioner, would be a moot question to be considered by the trial Court.

The trial is stated to be at the initial stage inasmuch as only the complainant has been examined in Court as opposed to 24 prosecution witnesses having been cited.

Without making any observations on merits, petitioner is held entitled to the concession of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Kapurthala,

Disposed.

05.04.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |