

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

CRM-M-3615 of 2018

Date of Decision: May 24, 2018

Balwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. L.S. Sekhon Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this second regular bail application under Section 439 Cr.P.C are that one Darshan Singh, a senior citizen, deceased went missing and was last seen on 24.5.2015, on the basis of which a complaint was lodged by Jeet Singh. In his allegations the complainant has alleged that children and wife of deceased-Darshan Singh had expired and that he had hired the petitioner for domestic chores. After few days of her engagement, one Gurjit Singh, co-accused, nephew of Balwinder Kaur started living with her and Balwinder Kaur in connivance with his co-accused Gurjit Singh had prepared a Will of the properties owned by the deceased and, thereafter, the deceased went missing.

Learned counsel for the petitioner contends that

petitioner is behind the bars since 24.7.2015 and that none of the prosecution witnesses have supported the prosecution story and that similarly placed co-accused Gurpreet Singh @ Sonu and Gurjeet Singh have been allowed regular bail by this Court and which fact is not controverted by learned State counsel, who has opposed the grant of bail on the grounds of heinousness of offence and seriousness of allegations.

Appreciating the submissions, since the vital witnesses as per the own stand of the State counsel have resiled and have turned hostile and that the petitioner has already undergone incarceration for a period of almost two years and ten months 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, culpability, if any, shall be determined at the time of trial, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

May 24, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No