

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

CRM-M-14395-2019(O&M)

Date of Decision: December 05, 2019

Rama

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. M.S.Virdi, Advocate
for the complainant.

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No.23 dated 09.04.2018 under Sections 302, 365, 201, 120-B IPC registered at Police Station Purana Shala (now Dinanagar), District Gurdaspur, Punjab.

The FIR was registered on the complaint made by Amandeep Kaur daughter of Gurmeet Singh Saini. She stated that her father Gurmeet Singh had entered into an agreement to sell dated 12.05.2015 with Mehnga Singh son of Raja Singh. A sum of Rs.4,50,000/- had been received as earnest money and remaining Rs.4,50,000/- was to be paid on 12.04.2018 at the time of execution of sale-deed. On 07.04.2018, her father had gone to his fields for harvesting the mustard crop but he did not return. Efforts were made to locate him. She and her mother apprehended that her father

Gurmeet Singh had been kidnapped by Mehnga Singh son of Raja Singh and

Kuldeep Singh @ Kala son of Joga Singh because he was not inclined to abide by the agreement to sell.

Learned counsel for the petitioner states that the petitioner is not named in the FIR. During investigation, statement of Raj Kumar s/o Mulakh Raj was recorded, wherein, he stated that the petitioner had come to his house on 08.06.2018 at about 6 am. She told Raj Kumar that on 07.04.2018 Mehnga Singh had asked her to call Gurmeet Singh in his fields during evening time as he was to discuss something urgent with him. Then Gurmeet Singh went with her to the fields. There Mehnga Singh and his wife Mandeep Kaur were present. Then Gurmeet Singh, Mehnga Singh and Mandeep Kaur wife of Mehnga Singh started talking to each other. Mehnga Singh, who was carrying iron rod in his hand hit the same at the back on the neck of Gurmeet Singh. Gurmeet Singh became unconscious and fell down on the ground. Then Mehnga Singh sat on the chest of Gurmeet Singh and hit iron rod many times on his testicles. After some time, Gurmeet Singh died. They all were afraid of that they have committed murder. They put dead body in a plastic bag and threw it in the drain.

Learned counsel for the petitioner states that even as per the statement of Raj Kumar, the petitioner has no role in the alleged incident. She was a servant of Gurmeet Singh. She was asked to convey a message, which she did. It has come on record that Mehnga Singh had committed suicide before it was revealed that as to how the murder of Gurmeet Singh had been committed. Learned counsel for the petitioner states that the petitioner is in the custody since 10.06.2018.

The trial of the case may take long time. The petitioner is a lady working as servant. The trial of the case has made no headway. No useful purpose will be served by keeping her in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

December 05, 2019

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No