

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

CRM-M-20336-2022 (O&M)

Date of decision: 18.10.2022

Gursewak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Shubreet Kaur Saron, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.14 dated 14.03.2019, registered under Sections 302, 364, 404, 316, 201, 120-B, 148 and 149 IPC, at Police Station Arif Ke, District Ferozepur.

Learned counsel for the petitioner submits that the FIR was registered on the complaint of Harjinder Singh; that the petitioner was not named in the FIR; that the petitioner was indicted on the disclosure statement of co-accused Taranjit Kaur, who has since been granted bail; that Ravneet Kaur-daughter of the complainant, was married to Jaspreet Singh, who is an Australian citizen; that on 14.03.2019, his daughter when talking on telephone to said Jaspreet Singh, went outside the house due to network issue

in the mobile; that when after 30-45 minutes, Ravneet Kaur, did not return, the complainant tried to find her but she was not found; that the dead-body of Ravneet Kaur was found in a canal in the area of village Padarath Police Station Khanori, District Sangrur, on 25.03.2019 at about 7.00 pm; that the allegation against the petitioner is that he along with two other co-accused did recce of the house of the complainant on 13.03.2019 and that co-accused Sandeep Singh, Pushpinder Singh and Taranjit Kaur, have already been granted regular bail. It is further submitted that out of 50 prosecution witnesses, only 11 have been examined so far and that the petitioner has been in custody since 29.03.2019 and that even PW1-Karamjeet Sharma, did not mention the name of the person(s) seen by him on 13.03.2019 at about 10.00/11.00 AM.

Still further, it is submitted that bail petition of co-accused Pushpinder Singh, against whom the allegation was also of recce, was dismissed by this Court, but the Hon'ble Supreme Court of India has granted him the concession of regular bail and that the petitioner is also entitled to bail on the ground of parity with said co-accused Pushpinder Singh and Taranjit Kaur.

Learned State counsel, while vehemently opposing the prayer for bail, submits that there are specific allegations against the petitioner that he along with other co-accused had done recce of the house of the complainant and thereafter Ravneet Kaur, who was permanent resident of Australia and was on a family way, was kidnapped and her dead body was found in a canal on 25.03.2019. However, he does not dispute the custody period of the

petitioner and the fact that co-accused Pushpinder Singh and Taranjit Kaur, who had named the petitioner, has already been granted bail. He further submits that out of 50 prosecution witnesses, 11 have been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.03.2019. The allegation against the petitioner is of having done recce of the house of the complainant. The petitioner was indicated on the disclosure statement of co-accused Taranjit Kaur and as noticed above, she has already been granted the concession of bail. Even co-accused Pushpinder Singh, has also been granted concession of bail by the Hon'ble Apex Court. Out of 50 witnesses, 39 prosecution witnesses are yet to be examined. The conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

18.10.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No