

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-10285 of 2015 (O&M)
DATE OF DECISION : 6.4.2015

Roopsi alias Aarushi

PETITIONER

VERSUS

State of Haryana

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri Anoop Singh Sheoran, Advocate for the petitioner.

Shri P.S.Cheema, Additional A.G. Haryana.

MAHESH GROVER, J.

This is a petition filed under section 439 Cr.P.C. with a prayer for release of the petitioner on bail in a case registered vide F.I.R. No.89 dated 1.6.2014 under Sections 396,397,120-B I.P.C. and Sections 25,54,59 of the Arms Act at Police Station Kosla.

The petitioner alleges that he has not been named in the F.I.R. and he

has no other case pending against him.

A perusal of the facts indicates that on the night of 31.5.2014 one Basant husband of the present petitioner and his accomplices armed with fire arms committed dacoity on a petrol pump by the name Azad Singh Filling Station NH-8 Sangwari and snatched away Rs.1,50,000/- from salesman Radhey Shyam after firing a shot which hit him in his chest and he succumbed to his injury and they also took away the mobile phone of Surender Kumar Salesman.

During the investigation, the present petitioner was also arrested. She is stated to have suffered a confessional statement to the effect that on 31.5.2014 Hitesh son of Ram Kishan, Vinod son of Rattan Lal, Sultan alias Rangit son of Daya Ram along with her husband Basant had made a plan to commit a robbery on the High Way. Since she fell unwell, she along with Hitesh went to Bhiwani for taking medicine. Hitesh dropped her at her house after making her take medicine from Bhiwani. He left for Rewari. Her husband Basant along with Vinod and Sultan went to Bhim Singh resident of Silarpur and Parveen son of Pappu resident of Huse Pur. On 1.6.2014, her husband Basant is stated to have made a telephone call to her asking her to come to Rewari in the morning and take away the looted currency notes, mobile phone and the Alto Car. On 2.6.2014, she reached Naiwali Chowk near Tula Ram Park, Rewari where her husband Basant, Hitesh, Vinod, Bhim Singh, Sultan and Parveen came in the Alto car and handed over to her Rs.1 lac, mobile phone, six pieces of clothes of white colour and the Alto car. Out of this, they kept Rs.50,000/- with them for meeting out the expenses. The said pieces of clothes were thrown out by her on the way. In this way, she admitted her guilt and got recovered currency notes of Rs.90,000/- and mobile phone.

On due consideration of the matter, I am of the opinion that the petitioner does not deserve the concession of bail as the allegations against her are extremely serious in nature and in matters such as this, to establish direct

complicity is difficult and therefore, the prosecution has to rely on collateral and circumstantial evidence.

Noticing the serious nature of the allegations, where one person is stated to have died and dacoity has been committed, I would not deem it to be a fit case to grant bail to the petitioner.

Dismissed.

April 6, 2015
GD

(MAHESH GROVER)
JUDGE