

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

**CRM-M No. 3176 of 2016 (O&M)
Date of Decision: 16.05.2016**

Dalvinder Kaur

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ravinder Singh Budhwar, Advocate
for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Chain Singh.

JASWANT SINGH, J.

Prayer in this petition under Section 439 of the Code of Criminal Procedure, is for grant of regular bail on behalf of the petitioner/accused-Dalvinder Kaur in case FIR No. 404, dated 01.11.2013, for offences punishable under Sections 302, 201, 34 of the Indian Penal Code and subsequently added Section 396 of the Indian Penal Code, registered at Police Station Ganaur, District Sonipat.

The dead body of Gaurav son of Kamal Singh, resident of Wazirabad, Delhi was found near a bridge of Chirmasi turn of GT Road, Ganaur on 01.11.2013 at about 6.30 a.m., leading to the lodging of the aforesaid FIR.

It transpires that a DDR dated 03.11.2013 stood lodged at Police Station Timarpur, Delhi regarding missing of Gaurav. On 05.11.2013, the body of Gaurav was identified by his father. It also transpires that a taxi bearing registration No. DL8CN-9596, driven by Gaurav (since deceased) on the night of 31.10.2013 was recovered from co-accused-Sumit @ Manju on 27.07.2014, while involved in another case FIR No. 556, dated 25.07.2014, for offences under Sections 412, 468, 471 and 474 of the Indian Penal Code, Police Station Paschim Vihar, Delhi.

During investigation, it was discovered that Sumit @ Manju had purchased the car from co-accused Kanwaljeet and his accused-mother Dalvinder Kaur (petitioner herein) for a consideration of Rs. 45,000/-. It has also surfaced that Kanwaljeet and five other co-accused had hired a taxi from Delhi on the pretext to go to Ludhiana and thereafter committed a loot including taxi after murdering driver-Gaurav. The precise role of each of the accused person has been fully detailed in the reply.

Learned counsel for the petitioner submits that the petitioner is an old lady and is in custody since 01.08.2014 and till now only twelve witnesses out of twenty-four (24) prosecution witnesses have been examined, therefore, prays for grant of bail, as the trial is not likely to conclude in near future.

Learned State Counsel, assisted by ASI Chain Singh, submits that there is specific role of the petitioner that she was also present with other accused persons at the time of commission of present occurrence. It is apparent from the reply that petitioner-Dalvinder Kaur took out some rupees, RC and DL of deceased-Gaurav and thereafter all those documents

were burnt by the accused persons. It also finds mention that the petitioner and other accused persons sold out the looted car/taxi. Keeping in view the heinous nature of the crime, learned State Counsel submits that no case for grant of regular bail to the petitioner is made out.

Without commenting upon the merits of the case and taking into account the alleged involvement of the petitioner in such a heinous crime, no case for grant of regular bail to the petitioner is made out.

Accordingly, the present petition stands dismissed.

May 16, 2016

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**(JASWANT SINGH)
JUDGE**