

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

CRM-M No. 14795 of 2017

DATE OF DECISION :- December 14, 2017

Anuradha Patel

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Jaiteshwar Singh, Advocate
for Mr. Randeep Singh Smagh, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. H.S. Rakhra, Advocate for the complainant.

This petition for regular bail has been filed by Anuradha Patel in case F.I.R. No. 17 dated 15.2.2017 for offences under Sections 302, 365, 201, 120-B, 34 of the Indian Penal Code registered with Police Station Sadar Bathinda, District Bathinda.

Briefly stated the facts of the case as per prosecution story are that criminal machinery in this case was set into motion by complainant Kumkum Shukla who in her statement recorded with police on 8.2.2017 stated that on that day her husband Vipin Shukla had returned home after performing duty and that at about 8.45 P.M, he had gone towards temple side but did not return. She suspected that he had been kidnapped by some persons. Subsequently, complainant Kumkum Shukla in her supplementary

statement got recorded with police on 15.2.2017 stated that after her husband Vipin Shukla was abducted on 8.2.2017, accused Sailesh Kumar, Sargeant, his brother-in-law Shashi Bhushan and wife Anuradha Patel had murdered him keeping his dead body in their quarter. Accused Sailesh Kumar was produced before the investigating officer, as per directions of Air Force Authorities. He was interrogated during course of which he suffered a statement that he along with his brother-in-law had killed Vipin Shukla and had earlier kept his dead body in their quarter, however, subsequently on 19.2.2017, they had cut the dead body into several pieces and placed those pieces of dead body into different polythene bags. His wife Anuradha Patel had helped them in doing so. Those polythene bags were kept in a cup board, bathroom and refrigerator lying in the kitchen of their quarter.

Anuradha Patel was arrested in this case on 21.2.2017. After completion of investigation, challan against accused Sailesh Kumar and Anuradha Patel has been filed and now they are facing trial in the Court of Additional Sessions Judge, Bathinda.

Accused Anuradha Patel had moved an application for regular bail in the Court of Sessions Judge, however, that was dismissed by Additional Sessions Judge, Bathinda vide order dated 14.3.2017. Now she has approached this Court seeking similar relief. However, her request is being opposed by the State counsel and counsel for the complainant vehemently.

I have heard learned counsel for the petitioner, learned counsel for the complainant and learned State counsel besides going through the

record.

Learned counsel for the petitioner has contended that the role attributed to the petitioner is simply of disappearance of the evidence and there are no allegations of she being part of conspiracy in committing murder of Vipin Shukla. He ha contended that she has given birth to a baby some time back as such she be granted bail. Whereas opposing the request, learned State counsel submits that she was part of the conspiracy to commit murder of Vipin Shukla and then had participated in cutting the dead body into pieces keeping those in their residential house, as such she does not deserve concession of bail.

After hearing the rival contentions, I find that the allegations against the petitioner are indeed very grave and serious and she along with her co-accused is guilty of gruesome acts. The trial against the accused is going on and it is expected that the same would conclude shortly. The apprehension expressed by the learned State counsel that if released on bail, there is a reasonable chance of her trying to tamper with the prosecution evidence and even absconding cannot be said to be unfounded.

No ground is made out for grant of regular bail to the petitioner. The petition stands dismissed accordingly.

(H.S. MADAAN)
JUDGE

December 14, 2017

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No