

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

206

CRM-M-28383-2017.

Date of Decision: 09.08.2017.

Rani Devi

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. R.S. Cheema, Senior Advocate with
Mr. A.S. Cheema, Advocate for the petitioner.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

Mr. Tejinder Pal Singh, Advocate for the complainant.

Ramendra Jain, J.(Oral)

Through this petition under Section 439 of the Code of Criminal Procedure (for short, 'Cr.P.C.'), the petitioner has sought regular bail pending trial in case F.I.R. No.17 dated 24.01.2017 under Sections 302/201 read with Section 34 of the Indian Penal Code (for short, 'I.P.C.'), registered at Police Station Israna, District Panipat.

Briefly stated, on 24.01.2017, complainant Ram Mehar filed a complaint before the police about missing of his son namely, Gurmit @ Mitu. However, after five days, on 29.01.2017, the complainant made a supplementary statement to the police, raising suspicion upon co-accused Mahender about murder of his son Gurmit and that his dead body has been destroyed as his son Gurmit was having love affair with daughter, namely, Anshul, of said Mahender. During investigation, said Mahender was arrested on 24.01.2017 and on that very date, he suffered a disclosure

statement admitting that he had committed murder of son of the complainant, namely, Gurmit in the presence of his wife Rani Devi (petitioner) and daughter Anshul and had hidden the dead body in Delhi parallel canal. Pursuant thereto, dead body of the son of the complainant was recovered.

Learned senior counsel for the petitioner contends that vide final report under Section 173 Cr.P.C., the petitioner has been sent to the Court to face trial under Section 201 read with Section 34 I.P.C. The only role attributed to the petitioner is that she helped her husband, co-accused Mahender, in tying the dead body of the son of the complainant and further to drop the same in the canal.

On the other hand, learned counsel for the State assisted by Mr. Tejinder Pal Singh, Advocate, who filed his Vakalatnama on behalf of the complainant, vehemently opposed the bail of the petitioner.

I have given anxious consideration to the submissions made by both the sides.

The petitioner is in custody since 01.02.2017. She was arrested on the disclosure statement of her husband, co-accused Mahender, who while confessing the murder of Gurmit @ Mitu by strangulation with a *Parna*, stated that he was assisted by his brother Krishan and wife Rani Devi (petitioner) in loading the dead body on his motorcycle.

It is pertinent to mention here that co-accused Krishan having similar role as that of the petitioner has been granted bail vide order dated 10.05.2017 passed by learned Sessions Judge, Panipat.

Considering over all facts and circumstances and also the fact that co-accused Krishan having similar role akin to the petitioner has been

granted regular bail, but without commenting anything on the merit of the case, the petitioner is is admitted to regular bail during trial, subject to her furnishing bail/ surety bonds to the satisfaction of the Illaqa/ Duty Magistrate, Panipat.

Petition is disposed of accordingly.

(RAMENDRA JAIN)
JUDGE

09.08.2017
jitender sharma

Whether speaking/ reasoned	Yes/ No
Whether Reportable	Yes/ No