

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

CRM-M-27338 of 2018.

Decided on:- July 11, 2018.

Dilbhag.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Naveen Gupta, Advocate
for the petitioner.

HARI PAL VERMA, J.

The petitioner, who is complainant in FIR No.262 dated 20.09.2017 under Sections 302, 201, 148, 149, 120-B IPC (Section 34 IPC added and Section 148/149 IPC deleted while filing Challan) registered at Police Station Adampur, has filed present petition under Section 439(2) Cr.P.C. for cancellation/setting aside of the order dated 26.02.2018 passed by learned Additional Sessions Judge, Hisar, whereby respondent No.2-accused Kalawati @ Kallo has been granted regular bail.

Counsel for the petitioner-complainant has argued that the impugned order dated 26.02.2018 admitting the respondent No.2 on regular bail is not sustainable in the eyes of law as the accused is guilty of committing a heinous crime. She has committed the murder of her own real daughter, namely, Babli as well as Vikram, brother of the complainant. The approach of

the trial Court is casual. The respondent No.2 was specifically named in the FIR. There being specific and serious allegations by the petitioner that she along with other co-accused had called Vikram (since deceased) to their house and committed his murder as well as the own daughter of respondent No.2 in the name of honour killing and concealed the dead bodies to save themselves from the punishment of heinous crime.

I have heard learned counsel for the petitioner and perused the impugned order dated 26.02.2018 passed by learned trial Court, whereby the respondent No.2 has been granted regular bail.

The respondent No.2 was in custody since 23.09.2017 and no recovery was to be effected from her. What might have weighed the mind of the trial Court is that the daughter of respondent No.2 Pooja had given birth to a female child on 17.02.2018 and there was no other person to take care of Pooja and her newly born child. Though Pooja is already an accused in the case, but she has been admitted on bail.

Therefore, this Court does not find any reason to cancel the bail of respondent No.2 so granted by learned trial Court.

Accordingly, the present petition, being devoid of any merit, is dismissed.

July 11, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No