

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 30433 of 2017 (O&M)

Date of decision : 24.1.2018

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Sudesh Devi

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Vikas Mahajan, Advocate for the petitioner

Mr. Neeraj Poswal, Assistant Advocate General,
Haryana.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner - Sudesh Devi, an accused in FIR No. 144 dated 21.2.2017, for offences under Sections 346, 302, 201, 216, 120-B/34 IPC, registered at Police Station Jhajjar, District Jhajjar.

Briefly stated, facts of the case as per prosecution story are that the FIR in question was recorded on the basis of written complaint submitted by complainant Sukesh s/o Ramesh Chand, village Dhakla, wherein he stated that on 21.2.2017, at about 11

O'clock his wife Pooja had left home for going to Government Hospital, Dhakla for taking medicines. However, she did not come back. She could not be traced despite being searched at various places. According to the complainant he is serving in the Army. Subsequently, Yogesh s/o Tejram, a brother of Pooja, had got his statement recorded stating therein that her brother-in-law Sukesh had illicit relations with Aarti and he had a suspicion that Sukesh and Aarti had murdered his sister Pooja. On 23.9.2017, dead body of Pooja was found in rented room of Aarti wife of Satbir Singh.

Originally, the FIR was recorded for offence under Section 346 IPC. Later on offences under Sections 302, 201, 216, 120-B/34 IPC were added. During investigation of the case, name of Sudesh Devi, the present petitioner, cropped up as a co-conspirator, as such she was arrested on 4.5.2017. She suffered a disclosure statement to the effect that she alongwith Aarti and Sukesh had entered into a conspiracy to remove Pooja deceased from the way of Sukesh and in pursuance of that Sukesh took his wife to Aarti for taking medicines, where as per planning, Aarti and Sukesh had strangulated Pooja.

Sudesh Devi had moved an application for grant of regular bail before the Court of Sessions but the same was declined by the Additional Sessions Judge, Jhajjar, vide order dated 28.7.2017, as such she has approached this Court craving for grant of similar relief, by filing the present petition. Whereas the petition is being resisted by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record and I find that the petition

is doomed for failure. As the prosecution story goes to show, the petitioner was part of the conspiracy for murder of Pooja, as such she is equally responsible for gruesome murder of an innocent woman simply for the reason that she was proving to be a hurdle for her husband Sukesh having illicit relations with Aarti.

Therefore, no ground is made out to grant the concession of bail to the petition. As such the petition so filed, stands dismissed.

(H.S. Madaan)
Judge

24.1.2018

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Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No