

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

SR. No.202

CRM-M-51683-2021

Date of Decision:18.02.2022

Kusam Kumari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Raj Kumar Chandana, Advocate,
for the petitioner.

Mr. A.K. Kaundal, DAG, Punjab.

SANT PARKASH, J.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.65 dated 16.06.2020 registered under Sections 302/201/34 IPC at Police Station GRP Ludhiana, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner was initially not named in the FIR and she has been involved in the present case with malafide intention.

On the other hand, learned counsel for the State submits that the present petitioner committed a serious offence. She was having illicit relations with deceased Raja Ram. He also submitted that there is extra-judicial confession before one Anwar Hussain by one of the accused, namely, Raja, wherein he admitted that he along with petitioner and Vinay Kalia attacked Raja Ram (deceased), which connects the petitioner with the commission of crime.

Heard.

In compliance of the order dated 10.12.2021, status report has already been filed.

As per the status report, the above-said case was registered on the statement of Ranju Devi wife of Raja Ram (deceased), who had stated that on 16.06.2020, her husband-Raja Ram was murdered by some unknown persons near train tracks in Manj Phaguwal, Ludhiana by inflicting deep injuries on his body. During investigation, Kusum Kumari (petitioner), Raja (son of the petitioner) and Vinay Kalia (co-accused) were found involved in the murder of Raja Ram. It is further mentioned in the report that call details record of Raja Ram (deceased), Kusum Kumari (present petitioner) as well as co-accused Raja were obtained, according to which, their locations were found to be that of near the place of occurrence. It is also mentioned in the report that all the three accused deliberately called each other on their phones and Raja Ram's mobile phone to mislead the police. The weapon of offence, i.e. knife, was later on recovered from the petitioner's house in pursuance of disclosure statement of one of the co-accused, Vinay Kalia. It is also mentioned in the report that challan has been submitted in the court against the above-said two co-accused.

After having heard the learned counsel for the parties and taking into consideration the role of the present petitioner in committing the murder of Raja Ram, she is not entitled to the grant of concession of anticipatory bail.

From the reply, it is evidently clear that in order to hide their identity, all the three accused including present petitioner deliberately called each other on their phones and Raja Ram's mobile to mislead the police.

Even the weapon of offence, i.e. knife, was later on recovered from the petitioner's house in pursuant to disclosure statement of co-accused. The present petitioner is the main conspirator and actively participated in the brutal murder of Raja Ram.

In view of the above, the present petition is dismissed.

18.02.2022
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO