

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

CRM No.M-10081 of 2015

Date of decision: 27.03.2015

Sameer Chibber

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhinav Gupta, Advocate for the petitioner.

Mr. R.T. Redhu, DAG, Haryana,
assisted by Inspector Sunil Kumar.

Jitendra Chauhan, J.

The present petition under Section 439 of the Code of Criminal Procedure, is for grant of interim regular bail to the petitioner in case FIR No.127 dated 02.09.2014, registered under Sections 328, 376, 511, 506, 34 of the Indian Penal Code, at Police Station Raipur Rani, Distt. Panchkula, for performing last rites of his father, who expired on 24.03.2015.

It is submitted that the petitioner has to visit Haridwar for immersion of ashes of his deceased father in the Holy Ganges. Though, the petitioner has another brother who is residing abroad and is likely to join the family, but the date of immersion of ashes cannot be deferred as per the family tradition. The petitioner is not

involved in any other FIR.

On the other hand, the learned State counsel, on instructions, submits that the petitioner was already permitted to perform the cremation ceremony by the learned Additional Sessions Judge, Panchkula, vide order dated 25.03.2015. This is not the essential ceremony to be performed by the petitioner.

Heard.

The death of the father of the petitioner is not in dispute. The immersion of the ashes of a father by his son is an essential and integral part of the traditions of this land. Considering the fact that the petitioner is not involved in any other FIR, this court feels that the relief sought by the petitioner deserves to be granted.

Accordingly, it is ordered that the petitioner be allowed interim regular bail for two weeks, on his furnishing the requisite bonds to the satisfaction of the Duty Magistrate/Illaq Magistrate, Panchkula. The petitioner shall surrender back to the jail authorities on the date and time to be noticed by the releasing Court.

A copy of this order be given under the signatures of the Special Secretary of this Bench.

27.03.2015

sumit.K/atulsethi

(JITENDRA CHAUHAN)
JUDGE