

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

Crl. Misc. No. M- 34955 of 2016
Date of Decision:-06.10.2016

Ramandeep Singh @ Goldy

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Navkiran Singh, Advocate for the petitioner.

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Petitioner has filed the present petition under Section 482 Cr.P.C. for grant of interim bail in FIR No.159 dated 28.04.2010 for offence under Section 15 of Unlawful Activities (Prevention) Act, 1967 and Section 4/5 of Explosive Substances Act, 1908, registered at Police Station Kotwali, Patiala, so as to enable him to arrange/attend the marriage of his sister Wattandeep Kaur which is fixed for 18.10.2016.

Learned counsel for the petitioner contends that petitioner is an accused in FIR No.279 dated 29.07.2009 under Sections 302/307/341 IPC and 24 of the Arms Act, 1959, registered at Police Station Tripuri, Distt. Patiala and FIR No.159 dated 28.04.2010 under Section 15 of Unlawful Activities (Prevention) Act, 1967 and Section 4/5 of Explosive Substances Act, 1908, registered at Police Station Kotwali, Patiala, Distt. Patiala. Petitioner is facing trial in the case since 06.11.2014. Before the

arrest of the petitioner, trial was held against accused Jagmohan Singh and others. Father of the petitioner is not alive, whereas his brother is in Indian Army and posted in Assam. Petitioner is only male member in the family, who has to arrange/attend the marriage of his only sister fixed for 18.10.2016. Petitioner has moved an application before the learned Additional Sessions Judge, Patiala on 05.09.2016 for the similar relief, however, the prayer of the petitioner was declined by the learned Addl. Sessions Judge, Patiala, vide order dated 26.09.2014. He further submits that earlier also on the occasion of 'Shagun Ceremony' of his sister on 29.05.2016, the petitioner was permitted to participate in the Ceremony by learned Additional Sessions Judge, Patiala vide order dated 25.5.2016 though in the police custody. The petitioner has shown his bonafide, and now the petitioner is required to perform certain customary rites necessitating his presence at the time of marriage.

Learned counsel for the State though has not disputed the factum of marriage of the sister of the petitioner which is fixed for 18.10.2016, but he has shown strong apprehension that in case the petitioner is allowed to be released on interim bail, there is possibility of breach the peace. Since there was no reply filed by the State, learned counsel for the State was directed to seek instructions from the concerned Superintendent of Police during the course of the day.

Accordingly, learned counsel for the State, on telephonic instructions from Sh. Rajwinder Singh Sohal, SP (D), Fatehgarh Sahib, has apprised this Court that taking into consideration the antecedents of the petitioner, he can be permitted to attend the marriage of his sister on

18.10.2016 for one day only, but in the police custody.

I have heard learned counsel for the parties.

Considering the fact that the marriage of the sister of the petitioner is fixed for 18.10.2016 and he being a brother, is required to perform certain customary rites, this Court deem it appropriate to allow the petitioner to attend the marriage of his only sister, namely, Watandeep Kaur for one day i.e. on 18.10.2016 (between 10 AM to 5 PM) in the police custody.

Accordingly, the petitioner shall be taken from the jail premises in the police custody to the place of the marriage i.e. Moh. Singhapur Ward No.11 Bassi Pathanana (F.G.S.), Distt. Fatehgarh Sahib, on 18.10.2016 between 10 AM to 5 PM. After attending the marriage, the petitioner shall be taken back to the jail premises at 5-00 P.M. The expenses of the police officials shall be borne by the near relatives of the accused-petitioner.

The Senior Superintendent of Police, Patiala as well as Superintendent Maximum Security Jail, Nabha are directed to make necessary arrangement for sending the accused/petitioner-Ramandeen Singh @ Goldy to attend marriage ceremony of his sister-Watandeep Kaur on 18.10.2016 in adequate police security.

The petition disposed of accordingly.

(HARI PAL VERMA)
JUDGE

06.10.2016
Anjal

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No