

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

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**CRM-M-44013-2017
DATE OF DECISION:20.11.2017**

ASHISH SHARMA

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.D.S. Sukhija, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking interim bail for a period of 10 days to attend the marriage of his younger brother. The petitioner is an undertrial in FIR No.111 dated 21.09.2017 under Section 302, 34 IPC (Section 302 IPC has been deleted and instead Section 304 IPC added), registered at Police Station Sector 20, Panchkula.

Learned counsel for the petitioner contends that the marriage of the brother of the petitioner is to be performed on 28.11.2017. Lagan ceremony on the occasion of marriage of brother of the petitioner is to be performed on 26.11.2017. Learned counsel also contends that the trial Court had allowed the petitioner to attend the lagan ceremony from 10:00 a.m. to 05:00 p.m. on 26.11.2017 but the petitioner has been allowed to attend the marriage of his brother on 28.11.2017 only from 10:00 a.m. to 05:00 p.m. which is to be performed at Hotel Taj, Sector 17-A, Chandigarh. He has drawn my attention to the marriage program on the invite, which indicates that Sehrabandi has to be performed at 05:00 p.m. and the departure of barat is at 06:00 p.m. while dinner would be from 08:00 p.m. onwards on 28.11.2017. Learned counsel contends that the marriage ceremony would be performed after dinner and would continue till early next morning.

Issue notice to the respondent.

At the asking of the Court, Mr. Vikas Malik, DAG, Haryana accepts notice on behalf of the respondent.

The petitioner is an undertrial in offence under Section 304 IPC. The marriage of his brother is to be performed on 28.11.2017 at 05:00 p.m. onwards. The order of the trial Court allowing the petitioner to attend the marriage function on 28.11.2017 from 10:00 a.m. to 05:00 p.m. would not serve any purpose as the ceremonies in connection with the marriage would start at 05:00 p.m. and go on till early next day.

Consequently, the petition is partly allowed and the order of the trial Court allowing the petitioner to attend the marriage of his brother is modified to the extent that on 28.11.2017, the petitioner shall be permitted to attend the marriage ceremony from 04:00 p.m. on 28.11.2017 to 08:00 a.m. on 29.11.2017. He shall be re-lodged in Central Jail, Ambala at 08:00 a.m. on 29.11.2017. The rest of the terms and conditions set out in order passed by the trial Court on 15.11.2017 shall remain the same.

20.11.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No