

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37622 of 2018 (O&M)

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Date of decision:12.9.2018

Harjit Singh

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Kunal Siag, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for grant of interim bail for 10 days in case FIR No.4 dated 4.8.2017 registered for the offences under Sections 365, 384 and 120-B IPC and (Sections 419, 489 IPC; Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 7, 13(2) and 8 of Prevention of Corruption Act, 1988, which were added later on) at Police Station STF Phase 4, S.A.S. Nagar (Mohali).

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

A perusal of the record shows that grand-mother of the present petitioner had expired on 20.8.2018 and her 'Bhog ceremony' was performed on 29.8.2018. The learned lower Court allowed the application of the present petitioner to attend the 'Bhog ceremony' for two hours but he refused to avail the benefit of that order. Now it is admitted fact that 'Bhog ceremony' has already been performed.

Learned counsel for the petitioner states that the petitioner is the only male member in the family to take care of rest of the family members and he has to perform the last rites and rituals of his grandmother and he has to immerse her mortal remains, therefore, he be granted interim bail.

The learned State counsel filed the reply and stated that grandfather of the petitioner is aged about 75 years and is hale and hearty. There is one more son of the deceased who is uncle of the petitioner in the family. Further the son of the uncle of the petitioner is also available in the family.

Keeping in view the facts and circumstances of the present case and in view of the fact that the present petitioner has not attended the last rites i.e. 'Bhog ceremony' of his grandmother though the Court had allowed his attendance for two hours in Police custody, but he has refused to go there and in view of the fact that other family members including the grand-

father, uncle and uncle's son of the present petitioner are available, I do not find it a fit case where the petitioner is entitled for the grant of interim bail.

Therefore, finding no merit in this petition, the same is dismissed.

September 12, 2018.

(Inderjit Singh)
Judge

hsp

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