

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

CRM-M No.3280 of 2019

Date of decision: 30th January, 2019

Abhishek

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. J.P. Sharma, Advocate for the petitioner.

Mr. Ripudaman, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

This application seeking regular interim bail by petitioner accused Abhishek has been filed in case bearing FIR No.204 dated 01.07.2018 under Sections 363, 365, 376-D, 120-B, 506 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Civil Lines, Sonipat.

Heard Mr. J.P. Sharma, Advocate for the petitioner and Mr. Ripudaman, Asstt. Advocate General, Haryana and perused the stand of the State filed by way of status report through affidavit of Jitender Singh, HPS, Deputy Superintendent of Police, Head Quarter, Sonipat.

The petitioner is presently lodged in this case and his main plea is that marriage of his elder brother is to be solemnized on 08.02.2019 at Gharaunda, District Karnal and being the real younger brother, his presence at the marriage ceremony is very much essential.

Upon notice, State has in their reply taken the plea that the petitioner is facing charges in heinous offences and expressed their apprehension that if allowed bail he would influence the witnesses and might abscond and which is the main stay of arguments of the learned State counsel to the pleas of the learned counsel for the petitioner.

Appreciating the submissions, the documents produced by the State comprising of photostat copy of the marriage invitation card shows that the marriage ceremonies of Nitin son of Ajay Kumar are to be performed on 08.02.2019 (Friday) and 09.02.2019 (Saturday) which is substantiated by the statements of Nitin (Annexure R1), his father Ajay Kumar (Annexure R2), Krishan Sharma Ex.MC (Annexure R4) and that of Samaypal Ex.MC (Annexure R5) which support this factum of marriage and which is also not displaced by learned State counsel. As is there and is also admitted by learned State counsel, the petitioner happens to be the younger brother of to-be-the-bridegroom and therefore, his presence at the time of marriage ceremonies is very much essential as per the rituals, customs and sentiments involved. More so, the State could not point out any other criminal case against the petitioner of such a heinous nature which could prompt him to flee from the course of justice. In the light of this and in the interest of justice, the prayer of the petitioner is accepted and he is allowed interim bail for a period of four days with effect from 07.02.2019 till 10.02.2019 subject to his furnishing two bail bonds in the sum of Rs.2.00 lacs each and two local sureties each of the

like amount with proof of documents of their properties to the satisfaction of the trial Court concerned. The petitioner shall surrender back on 11.02.2019 at 10:00 a.m. before the Superintendent, District Jail, Sonipat.

The petition stands allowed in those terms.

(FATEH DEEP SINGH)
JUDGE

January 30, 2019
rps

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