

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

**Criminal Misc. No. M-8399 of 2019
Date of decision: 26.02.2019**

Sumit @ Kala

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Virender Soni, Advocate
for the petitioner.

Mr. Rajesh Sheoran, Addl. A.G., Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

This petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of interim bail in case FIR No.466 dated 16.10.2016 registered under Sections 148, 149, 307, 324, 216, 302 IPC at Police Station Gannaur, District Sonapat to perform marriage of his sister scheduled to be solemnized on 28.02.2019.

Learned counsel for the petitioner submits that the presence of the petitioner being brother is required as he has to make some arrangements and has to perform certain ceremonies.

Notice of motion was issued in the case on 22.02.2019.

Learned State counsel has verified the factum of marriage and also the fact that the petitioner is the only brother and his father has also died. The petitioner is stated to be in custody since 22.04.2017.

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Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the order passed by the lower Court.

The interim bail has been declined by the lower Court only on the ground that there is apprehension of breach of peace in the village. However, nothing has been mentioned as to how apprehension of breach of peace is there.

By considering the submission made by learned counsel for the petitioner that the presence of the petitioner being only brother is necessary to make arrangements and to perform certain ceremonies, the present petition is allowed and the petitioner (Sumit @ Kala) is directed to be released on interim bail on 27.02.2018 in the evening for a period of two days on his furnishing bonds to the satisfaction of the trial Court.

The petitioner is directed to surrender before the concerned jail authorities immediately on 02.03.2019 after expiry of aforesaid period.

A copy of this order be given to learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

26.02.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes