

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

CRM-M No.9790 of 2019

Date of Decision: 11.03.2019

Chamkaur Singh

....Petitioner

Versus

State of Haryana

....Respondent

CRM-M No.9826 of 2019

Chamkaur Singh

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. K.D.S. Hooda, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

DAYA CHAUDHARY, J.

By this order of mine, two petitions bearing ***CRM-M No.9790 of 2019*** and ***CRM-M No.9826 of 2019*** filed by petitioner-Chamkaur Singh shall be disposed of as the prayer in both the petitions is for grant of interim bail to him for a period of ten days i.e from 12.03.2019 to 22.03.2019 for attending and making arrangements for the marriage of his only son Gaganjot Singh during the period of trial.

Petition bearing **CRM-M No.9790 of 2019** has been filed by petitioner under Section 439 Cr.P.C for grant of interim bail to him in case FIR No.345 dated 27.08.2017 registered under Sections 145, 146,150, 151, 152, 153, 121, 121A, 216 and 120-B of IPC at Police Station Sector 5, Panchkula.

Petition bearing **CRM-M No.9826 of 2019** has been filed by petitioner for grant of interim bail to him in case FIR No.333 dated 25.08.2017 registered under Sections 148, 149, 186, 188, 307, 332, 353, 452, 506, 511 of IPC and Section 3 of PDPP Act, 1984 at Police Station Sector 5, Panchkula. The charges have not been framed in the present case under Sections 147, 149, 353, 186, 188, 452, 332, 307 read with Section 148 of IPC, 506, 148 of IPC, Section 3 of the Explosive Substances Act, 1908 and Section 3 of the Prevention of Damage to Public Property Act, 1984.

Learned counsel for the petitioner submits that the interim bail is required to the petitioner not only for making arrangements but to perform certain ceremonies for the marriage of his son as 3-4 functions are there at the time of marriage including sangeet and reception. The engagement of his son is on 14.03.2019, bhog of Akhand Path is on 15.03.2019, ladies Sangeet is on 16.03.2019 and the marriage ceremony is on 17.03.2019. After marriage, the reception has been scheduled for 18.03.2019. Learned counsel further submits that the petitioner is in custody since 08.09.2017. He is having the only son and his presence is required at the time of aforesaid programmes. Learned counsel also submits that the application moved by the petitioner has been dismissed by the Additional Sessions Judge, Panchkula vide order dated 25.02.2019 only on the ground that he is involved in a number of cases and he is one of the main accused and his application for bail has already been dismissed. Nothing has been said on merits as to how the presence of the petitioner is not required.

Notice of motion in both the case was issued on 05.03.2019 and learned State counsel was directed to get instructions in the cases by

verifying the factum of marriage.

Learned State counsel has verified the factum regarding marriage of son of the petitioner and also the fact that he is having the only son.

Heard the arguments of learned counsel for the parties and have also perused the documents available on the file including the marriage card.

The different events/functions are there on the occasion of marriage of son of the petitioner starting from 14.03.2019 to 18.03.2019. The presence of the petitioner is required there to make arrangements being father not only at the time of marriage but prior to marriage. Even after marriage, certain activities of the petitioner are there being the head of the family. The petitioner is in custody since 08.09.2017.

Accordingly, by considering the submissions made by learned counsel for the petitioner that the petitioner is having the only son and his presence is required at the time of marriage, both the petitions bearing **CRM-M No.9790 of 2019** and **CRM-M No.9826 of 2019** are allowed and petitioner, namely, Chamkaur Singh is directed to be released on interim bail from 12.03.2019 to 20.03.2019 on his furnishing bail/surety bonds to the satisfaction of the trial Court/Illqa Magistrate/Duty Magistrate. He is directed to surrender before the jail authorities on 21.03.2019 in the morning before 12.00 noon. He is also directed not to misuse the concession of interim bail.

(DAYA CHAUDHARY)
JUDGE

11.03.2019

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No