

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-10915 of 2019

.....

Date of decision:08.03.2019

Ravinder alias Candiman alias Kendi

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Navmohit Singh, Advocate for the petitioner.

.....

Inderjit Singh, J.

The petitioner has filed this second petition under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for grant of interim bail in case FIR No.573 dated 28.7.2017 (Annexure-P.1) registered for the offences under Sections 302, 394, 397 and 120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Civil Lines, Gurugram, as real younger brother of the petitioner, namely, Vikas is getting married on 10.3.2019. It has been mentioned that the interim bail has been dismissed by the Court below on 28.2.2019 (Annexure-P.2).

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the younger brother of the petitioner is going to be married on 10.3.2019. The petitioner is asking for interim bail for 9.3.2019 and 10.3.2019.

Notice of motion to the State at the most can be issued for 11.3.2019 as 9th and 10th March, 2019 are holidays being second Saturday and Sunday. Without notice, it cannot be verified as to whether there is marriage of real younger brother of the present petitioner or not on 10.3.2019. In no way, it can be held that the marriage has been fixed immediately. Rather, a perusal of the order shows that the learned Additional Sessions Judge, Gurugram has dismissed the application on 28.2.2019, but this petition has been filed after a long delay. Furthermore, I find that as stated in the petition, the marriage of younger brother of the petitioner is going to be solemnized and the presence of the petitioner is not necessary. Furthermore, the petitioner is in custody in the case registered for the offences under Sections 302, 394, 397 and 120-B IPC and Section 25 of the Arms act, 1959 and keeping in view the nature and gravity of offences also, he cannot be granted interim bail. There is every chance of his absconding also.

Therefore, from the above facts, I find no merit in this petition and the same is dismissed.

March 08, 2019.

(Inderjit Singh)
Judge

hsp

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