

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-130-2019 (O&M)
Date of Decision:- 10.1.2019

Dhara Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Shekhawat, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

CRM-247-2019 in
CRM-M-130-2019

In view of the reasons mentioned in the application, the same is allowed and the marriage card (Annexure P-3) is taken on record.

CRM-M-130-2019 (O&M)

1. This order shall dispose of the petition filed on behalf of Dhara Singh for grant of interim bail in case FIR No.205, dated 12.5.2017, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Section 379-A IPC so as to attend the marriage of his sister which is to be solemnized on 13.1.2019.
2. Notice of motion to respondent-State.

3. On asking of this Court, Mr. Brijesh Sharma, AAG, Haryana accepts notice on behalf of the respondent.
4. The petitioner in fact is facing trial in the following three cases:
 1. FIR No.60, dated 24.1.2014, registered at Police Station Civil Lines, District Hisar, under Sections 302, 148, 149, 120-B and 216 IPC and Section 25 of the Arms Act.
 2. FIR No.234, dated 22.5.2017, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Sections 302, 120-B and 34 IPC read with Section 25 of the Arms Act.
 3. FIR No.205, dated 12.5.2017, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Section 379-A IPC.
5. The petitioner had filed identical applications before trial Court seeking interim bail in all the three cases. In one of the case arising out of FIR No.234, dated 22.5.2017, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Sections 302, 120-B and 34 IPC read with Section 25 of the Arms Act, learned trial Court accepted the application to the extent that the petitioner be permitted to attend the marriage of his sister while in custody from 12 Noon to 4 .PM. on the day of marriage i.e. on 13.1.2019. However, identical prayer in other two cases arising out of FIR No.205, dated 12.5.2017, registered at Police Station Sadar Dadri, District Charkhi Dadri, under Section 379-A IPC and FIR No.60, dated 24.1.2014, registered at Police Station Civil Lines, District Hisar, under Sections 302, 148, 149, 120-B and 216 IPC and Section 25 of the Arms Act has been declined.

6. Since the petitioner has already been granted bail to the limited extent in one of the cases so as to attend marriage of his sister, it cannot be disputed that the marriage of sister of the petitioner is to be solemnized on 13.1.2019. A brother certainly would be required to perform certain rituals during the course of marriage. As such, the application for grant of interim bail is accepted to the limited extent that the petitioner is permitted to attend the marriage of his sister while in custody from 12 Noon to 4 P.M. on 13.1.2019.
7. The Superintendent, Central Jail, Bhondsi, District Gurugram shall make necessary arrangements for taking the petitioner in custody to attend the marriage of his sister to B-20, Dinpur Extension, Najafgarh, New Delhi-43 and shall confine the petitioner back in jail on the same day itself in safe custody. The expenses of the entire exercise including transportation etc. shall be borne by the petitioner which shall be deposited in advance with the Superintendent, Central Jail, Bhondsi, District Gurugram.
8. A copy of this order along with copy of marriage card be sent to Superintendent, Central Jail, Bhondsi, District Gurugram, for compliance.

January 10, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No