

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.7306 of 2020

Date of decision:18.02.2020

Rahul Bindlish

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Akshit Aggarwal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C.
for releasing the petitioner on interim regular bail on account of death of his
father in order to perform his last rites.

The petitioner herein is in custody in FIR No.538 dated
24.07.2019 under Sections 304-B, 34 IPC with an alternative charge under
Section 302, 34 IPC registered at Police Station, Model Town, Panipat.
During the pendency of his trial, father of the petitioner has died and being
the only son, the petitioner herein prays for 15 days release in order to be
able to perform last rites of his father. It is contended that father of the
petitioner passed away on 11.02.2020 and the cremation has already taken
place on 13.02.2020, however, the final rites and ceremonies have yet to be
performed.

Notice of this petition was issued to the respondent-State and a
status report by way of affidavit of Inspector/SHO Sunil Kumar has been

filed to submit that father of the petitioner expired on account of heart attack on 11.02.2020. It is also admitted that the petitioner herein is only son of the deceased.

I have heard learned counsel for the parties.

In view of the admitted position that father of the petitioner has expired and he is the only son of the deceased to perform his last rites, let the petitioner be released on interim bail for 15 days on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate. The petitioner shall surrender before the trial Court/Duty Magistrate on completion of 15 days.

The petition is allowed in above terms.

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

(JAISHREE THAKUR)
JUDGE

February 18, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No