

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

107

CRM-M-10982-2020
Date of decision: 18.03.2020

Amritpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of interim bail to the petitioner in case FIR No.75 dated 06.10.2019 registered under Section 302 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') and Sections 25 and 27 of the Arms Act, 1959 at Police Station Qila Lal Singh, District Gurdaspur to which Sections 109, 115, 118 and 182 of the IPC were added lateron.

The petition has been filed on the grounds that marriage of sister of the petitioner is fixed for 22.03.2020. His father is also in custody in the present case. There is no male member in the family to make the necessary arrangements. Therefore, the petitioner may be granted interim bail for two weeks.

Status report has been filed on behalf of the respondent-State by way of affidavit of Sh. Balbir Singh PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala in which it has been admitted that marriage of Harpreet Kaur sister of the petitioner is scheduled for 22.03.2020.

I have heard learned Counsel for the petitioner as well as learned State Counsel and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated and there is no cogent evidence regarding his involvement in the crime. Father of the petitioner is also in custody in the present case and there is no other male member to make necessary arrangements. Presence of the petitioner at the time of marriage is essential for making necessary arrangements and performance of the ceremonies. Therefore, the petitioner may be granted two weeks interim bail.

On the other hand learned State Counsel has submitted that the petitioner is alleged to have committed heinous offences and in view of the nature of the offences and gravity of accusation, the petition for interim bail may be dismissed.

In view of the facts and circumstances of the case and also the fact that presence of the petitioner being brother will be necessary as per social traditions at the time of marriage for making necessary arrangements and performance of ceremonies, I am of the considered view that the petitioner may be extended the concession of interim bail for attending the marriage of his sister. Therefore, the petition is allowed and the petitioner is ordered to be released on interim bail from 20.03.2020 (10:00 a.m.) to 26.03.2020 (12:00 noon) on furnishing of personal and surety bonds by him to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Gurdaspur.

The petitioner shall surrender before Superintendent, Central Jail, Gurdaspur on 26.03.2020 at 12:00 noon.

18.03.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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