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

CRM-M-29711 of 2020

Date of decision: October 01, 2020

Om Parkash @ Toney

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gulshan Nandwani, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

Mr. Ravinder, Advocate for the complainant.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') read with Section 482 Cr.P.C. for grant of interim bail to the petitioner in FIR No.0183 dated 13.04.2020, under Sections 302, 34 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Bawal, District Rewari.

Photocopy of status report by way of affidavit dated 29.09.2020 of Rajesh Kumar, HPS, Deputy Superintendent of Police, Bawal, District Rewari is taken on record. Registry to tag the same at appropriate place.

Learned counsel for the petitioner submits that *asthi visarjan* (immersion of ashes) of his brother is to be performed and thus, he be released on interim bail.

Learned State counsel, while making a reference to para-7 of

the above affidavit has pointed out that, although, last rights of the petitioner's brother had taken place on 25.09.2020, but *asthi visarjan* is yet to be effected and there is no date fixed upto now for said purpose. Learned counsel for the complainant has also adopted similar arguments.

In view of the above, present petition is disposed off. Petitioner is ordered to be released on interim bail for one day, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. He shall be taken to perform *asthi visarjan* (immersion of ashes) of his brother, in police custody on the date to be fixed for said purpose.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 01, 2020

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No