

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

CRM-M No.35095 of 2020 (O&M)
DATE OF DECISION: 06.11.2020

Krishan Sharma

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Vishal Sharma Haritwal, Advocate for the petitioner

Ms. Dimple Jain, Assistant Advocate General, Haryana

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ALKA SARIN, J. (Oral):

Heard through video conferencing.

This is a petition for grant of interim bail to the petitioner in FIR No.126 dated 07.07.2019 under Sections 377/506 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012 on the ground that his mother has expired on 20.10.2020 and that he is required to perform her last rites and rituals.

The Court of Additional Sessions Judge, Fast Track Special Court, Hisar, had granted the petitioner interim bail for 30.10.2020 and the Jail Superintendent, Central Jail, Hisar, was directed to make arrangements for taking the petitioner to his village for the *Tehravi* of his mother on 30.10.2020. The petitioner, however, approached this Court by filing the present petition on 26.10.2020. Thereafter, since the matter was not listed, the petitioner states that he availed the interim bail granted to him for 30.10.2020 to attend the *Tehravi* of his mother. However, it was inadvertently stated on 02.11.2020 that the concession of interim bail was not availed by him. Learned counsel for the petitioner, on instructions, has stated that the petitioner now prays for bail for one day to go to Haridwar for performing the last rites of his mother.

Learned State counsel, on instructions from Mr. Deepak Sharma, Superintendent of Jail, has stated that the Jail Superintendent would be able to make arrangements for taking the petitioner to Haridwar for performing the last rites of his mother on 09.11.2020.

Keeping in mind the humanitarian aspect of the matter, and the fact that the petitioner, whose mother has since expired, wants to perform the last rites of his mother, I deem this to be a fit case for grant of interim bail to the petitioner.

Accordingly, the Jail Superintendent, Central Jail, Hisar is directed to make arrangements for taking the petitioner to Haridwar on 09.11.2020 and after performing the rituals the petitioner would be brought back to jail forthwith.

Accordingly, the petition is allowed in the aforementioned terms.

(ALKA SARIN)
JUDGE

06.11.2020
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NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
