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

**CRM-M-40214-2020
Date of Decision: 03.12.2020**

NARENDER

.....Petitioner

V/S

STATE OF HARYANA

.....Respondent

2. CRM-M-40479-2020

VIRENDER @ BILLU

.....Petitioner

V/S

STATE OF HARYANA

.....Respondent

3. CRM-M-40481-2020

SHIVKANT AND ANR

.....Petitioners

V/S

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Manish Soni, Advocate for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

1. These are three petitions praying for interim bail to the petitioner(s) for a period of one week from 03.12.2020 to 11.12.2020 in which they have sought such interim bail for the purpose of attending the Marriage Ceremony of Avantika, who happens to be the niece [sister's daughter of the petitioner(s)] Narender and Virender (Mamas) and a first cousin of the other two petitioners namely Shivkant and Shrikant, who are

both the sons of Virender. Attention of the Court has been drawn to the Marriage Card (Annexure P-2) in CRM-M-40214-2020 from which it transpires that the Engagement Ceremony of the bride 'Avantika' is fixed in the afternoon of 04th December, 2020 while the actual marriage is fixed on the 10th of December, 2020.

2. Notice of motion.

3. On the asking of the Court Ms. Tanushree Gupta, DAG, Haryana to accept notice on behalf of the Respondent/State. A copy of the Paper-book be handed over to her.

4. Ld. State Counsel draws attention of the Court to the fact that the petitioner(s) Narender and Virender, who are both 'Mamas' of the bride to be, have already been granted interim bail by the Ld. Court below to enable them to participate in the 'Bhaat' Ceremony on the 04th and 10th of December, 2020 respectively, while such prayer on behalf of the other petitioner(s) has been dismissed.

5. From his side, Ld. Counsel for the petitioner(s) has sent up a list showing interim bail granted to various accused persons in this case by this Court as well as by the Ld. Sessions Court at Faridabad for a period exceeding almost 03 years starting from 23.02.2018. It further transpires from the order passed by this Court in CRM-M-3094-2020 on 27.01.2020 that the petitioners Virender and Shrikant and another accused Anuj had been previously granted interim bail for 03 days between 02.02.2020 to 05.02.2020 in presence of Ld. Counsel for the complainant, and that they did not misuse the liberty granted to them while on such interim bail. In addition petitioners Shivkant and Narender had separately been granted

interim bail for 03 days each by the Ld. Court below at Faridabad to enable them to participate in a family Marriage Ceremony and they had likewise not misused the interim bail so granted.

6. In such circumstances, considering that the petitioner(s) by now have already remained in custody for more than 03 years, this Court is of the opinion that they should similarly be granted an opportunity to participate in the marriage related Ceremonies. Consequently, the interim bail applications are allowed and the impugned order passed by the Ld. Court below (Annexure P-3) in CRM-M-40479-2020 is modified to the extent that all the petitioner(s) are permitted to be released on interim bail. The petitioners Virender and Narender, who have been granted interim bail by the Ld. Court below for 04th and 10th of December, 2020 respectively are in addition permitted to be released on such bail on the other two dates as well, i.e., they shall be released on an interim bail to the satisfaction of the Ld. Court below/Duty Magistrate concerned for 04th as well as 10th December, 2020, for which purpose their actual release can be from the evening of 03th December, 2020 i.e., today itself and the evening of 09th December, 2020 till the morning of 05th and 11th December, 2020 respectively. The interim bail for identical durations is also granted to the petitioner(s) Shivkant and Shrikant for the aforesaid dates and timing.

7. A photo copy of this order be placed on the file of other connected cases.

03.12.2020

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No

**CRM-M-40214-2020, CRM-M-40479-2020 &
CRM-M-40481-2020**