

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

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**CRM-M-412-2021(O & M)
Date of decision:01.12.2021**

Sabu @ Shab Singh

...petitioner

V/S

State of Punjab

...respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Sandeep Gahlawat, Advocate
for the petitioner

Mr.Rana Harjasdeep Singh, DAG Punjab

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail', upon FIR no.53, dated 23.07.2019, having been registered at Police Station Chohla Sahib, Tarn Taran, alleging therein the commission of offences punishable under Sections 302, 201, 120-B of the IPC.

On 17.11.2021, the following order had been passed by this Court upon the petitioner having filed CRM-37585-2021, seeking interim bail to attend the marriage of his niece:-

Case heard via video conferencing.

CRM-37585 of 2021

Vide this application, the applicant-petitioner seeks the concession of interim bail on account of the fact that the marriage of his niece is fixed for 22.11.2021.

Pursuant to notice having been issued in this application on 10.11.2021, learned State counsel has taken instructions

from ASI Jaswant Singh that the said official visited the village of the applicant-petitioners' sister and confirmed that the petitioners' niece is getting married on 22.11.2021.

Learned counsel for the applicant-petitioner also submits that in fact the father of the deceased had initially pointed to his own son-in-law as the person who had murdered his daughter and grand daughter, in view of the fact that the petitioner was alleged to be having an illicit relationship with the daughter.

He further submits that some-how thereafter, the applicant-petitioner himself was named as the accused, instead of the son-in-law.

Without making any comment on the aforesaid contentions raised, this only being an application seeking that the applicant-petitioner be allowed to attend the marriage of his niece, it is directed that the applicant-petitioner be taken in custody to attend the marriage of his niece on 22.11.2021 and be brought back the same evening to the jail premises.

The application stands disposed of.

A copy of this order be given to learned counsel for the applicant-petitioner under the signatures of the Reader of this court.

Obviously, the prayer had not been allowed at that stage. Today, learned counsel for the petitioner reiterates what he had submitted on that date and further submits that now even the complainant in the FIR has been examined, with the petitioner having been in custody now for 1 year and more than 2 months, but with an application under Section 319 Cr.P.C.having been filed by the prosecution, seeking arraignment of two more persons as accused.

That being so, looking at the period of the custody of the petitioner and the stage of the trial, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate.

01.12.2021

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(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No