

228

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

**CRM-M-3827-2021**

**Date of decision-28.01.2021**

**Azad Singh**

**...Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Arpandeep Narula, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

**\*\*\***

**MANOJ BAJAJ, J. (Oral)**

Petitioner has filed this petition under Section 439 Cr.P.C for grant of interim regular bail in case FIR No.236 dated 09.07.2020 registered under Sections 148, 149, 302 and 364 Indian Penal Code, 1860 (Sections 323 and 120-B IPC added later on) at Police Station Dabwali Sadar, District Sirsa for a period of two weeks for taking his final examination of 12<sup>th</sup> standard scheduled to commence from 29.01.2021.

Learned counsel for the petitioner has argued that the petitioner is in custody in the above FIR since his arrest on 13.01.2021.

He submits that the petitioner is a student of 12<sup>th</sup> standard, who got admission in National Institute of Open Schooling, New Delhi for the academic year 2020-2021 and his final exams are commencing from tomorrow. He submits that the petitioner be released on interim bail for a period of two weeks to enable him to appear for the exams.

At this stage, learned State counsel assisted by Inspector Dale Ram has opposed the prayer on the ground that the Court of Additional Sessions Judge, Sirsa has already granted the permission to the petitioner for taking the examination in custody and requisite directions have been issued to the Superintendent District Jail, Sirsa for making the requisite arrangements. The relevant paragraph of the order dated 23.01.2021 is extracted below:-

*“A perusal of file shows that challan against 12 accused persons has been filed. Not even a single witness has been examined so far. Considering the gravity of the offence coupled with facts and circumstances of this case, this court deem it proper to grant permission to petitioner to appear in examinations of 12th class at his costs. Accordingly, Azad Singh petitioner be taken in custody to examination centre at Apex Public School 5BHD Nohar Sirsa Bypass Bhadra District Hanumangarh, Rajasthan on 29.01.2021, 02.02.2021, 03.02.2021, 09.02.2021 and on 10.02.2021 in order to enable him to appear in the examination of the aforesaid subjects and be brought back to District Jail, Sirsa after*

*completion of examination on these days. On receipt of this order, Superintendent District Jail, Sirsa shall make immediate arrangement to comply with the same. Officials are further directed to take all precautions to avoid any mishappening and also to avoid spread of corona-virus. Papers be tagged with the main case file.”*

The above makes it clear that the trial Court has allowed the petitioner to take the exams in custody and the requisite directions have been issued, therefore, no ground is made out for release of the petitioner on interim regular bail.

Dismissed.

**(MANOJ BAJAJ)**  
**JUDGE**

**28.01.2021**  
vanita

|                             |     |    |
|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |