

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

115

CRR No.225 of 2021

Date of decision : 02.03.2021.

Mehboob Khan

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Manjinder Singh Saini, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has impugned the order dated 24.02.2021 whereby his application for permission to attend the marriage of his brother has been dismissed.

Learned counsel for the petitioner contends that the petitioner is an under trial in FIR No.89 dated 06.10.2017, under Sections 302, 148, 149, 120-B IPC, registered at Police Station Banur, District Mohali and he is in custody for over 3½ years. The marriage of the brother of the petitioner is to take place on 6th March, 2021 and his presence would be necessary. He further contends that the petitioner is not involved in any other criminal case. He, while referring to the copy of the invite at Annexure P-3, states that the marriage has to take place at Alamdipur, district Patiala and the *barat* would be departing from their house at village Khaspur, district Mohali. He also contends that the petitioner shall be arranging his own conveyance and may be permitted to attend the marriage of his brother in police custody.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent and upon instructions from ASI Ram Krishan, states that the petitioner is at present confined at Central Jail, Hoshiarpur and the marriage has to take place at a village near Rajpura in Patiala district and the travelling time would be about 04 hours.

Heard through video conferencing.

The marriage of the brother of the petitioner is to take place on 06.03.2021 and his presence would be necessary. The petitioner is in custody for over 3 ½ years and is not involved in any other case.

Consequently, the petition is allowed and the impugned order is set aside. Superintendent, Central Jail, Hoshiarpur is directed to send the petitioner from the Central Jail to the place of marriage at 7.00 am in the morning in police custody in a conveyance to be provided/paid for by the petitioner. The petitioner shall report back to the Central Jail, Hoshiarpur by 07.00 p.m. on the same day. The petitioner shall follow the COVID-19 protocol and maintain social distancing during this time.

(ANUPINDER SINGH GREWAL)
JUDGE

March 02, 2021
sonia gugnani

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