

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10503-2021
Date of Decision:-17.03.2021

Sandeep @ Krishan

.....Petitioner

Vs.

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL J.(Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

This is a second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 125, dated 08.06.2019 for offence under Section 346 of IPC and offence under Sections 328, 363, 366-A, 376(2)(n), 506 IPC added later on as well as under Section 6 of the POSCO Act, 2012 registered at Police Station Kalanwali, District Sirsa, though offence under Section 366-A was deleted later on.

Although, the petitioner has sought regular bail but he restricts his prayer to release to the petitioner on interim bail in order to enable him to attend the marriage ceremony of his sister.

Learned counsel for the petitioner has referred to the '*Wedding Card*' (Annexure P-5), to submit that his sister is getting married and the marriage functions are scheduled for 19/20.03.2021. He submits that marriage functions are to start from evening of 19.03.2021 and the departure of baraat is at 5.15 P.M. on

20.03.2021.

Vide order of this Court dated 15.03.2021, this Court granted time to the State to verify the factum of marriage of the sister of the petitioner.

Today, an affidavit of Assistant Superintendent of Police, Kalanwali, District Sirsa has been filed on behalf of the State through Whats App Mode wherein it has been deposed that the factual position has been ascertained. The statements of Gurmail Singh, father of the petitioner, Vinod Kumar, brother of the petitioner and Smt. Lakhveer Kaur, Sarpanch of Village have also been recorded, who have confirmed the marriage of the sister of the petitioner. It has further been deposed that the petitioner is not involved in any other criminal case. The print out of the affidavit is taken on record.

Learned State counsel has opposed the prayer on the ground that in case the petitioner is to be released on interim bail, there is a possibility of his absconding.

I have considered the respective submissions of the parties.

The presence of the petitioner at the time of his sister's marriage is necessary. Certain religious ceremonies at the time of the wedding cannot be performed in his absence.

Keeping in view the fact that the marriage of the sister of the petitioner has been verified, this Court deems it appropriate that the petitioner be taken from District Jail before noon of 19.03.2021 to the place where his sister's marriage ceremonies are to take place in proper police custody as per police rules.

It is further directed that the petitioner be brought back to the District Jail, Kalanwali, District Sirsa before 11.00 A.M. in the morning on 21.03.2021. Superintendent of Police, Kalanwali, District Sirsa is directed to make the necessary arrangements in this regard.

The petition is disposed of.

(SUVIR SEHGAL)
JUDGE

17.03.2021
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No