

113.

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

CRM-M-36142-2021

Date of Decision: 02.09.2021

(Heard through VC)

PAWAN

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ved Parkash, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 439 Cr.P.C. in case FIR No.177, dated 30.09.2013, registered under Sections 376-D, 365, 216 of IPC and Sections 6, 17 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Pillukhera, District Jind, for grant of interim bail to the petitioner for two weeks to attend the last rites of his mother who expired on 25.08.2021.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has to perform the rasam pagri custom which is slated to take place on 10.09.2021. He would further contend that the petitioner be granted two weeks interim bail in this regard, while further submitting that the uncle of the petitioner is a practicing advocate and a leading member of the Bar Association, Safidon, who will furnish his own surety in case the petitioner is released for a period of two weeks.

Notice of motion.

Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of respondent-State. She opposes the request for interim bail to the petitioner by contending that he has been nominated as an accused under Sections 376-D, 365, 216 of IPC read with Sections 6, 17 of the POCSO Act. It is also contended that the petitioner herein absconded and was declared a proclaimed offender and surrendered after a period of 6 years. It is also brought to the notice of this Court that the petitioner herein by an order dated 25.08.2021 was permitted to attend the last rites of his mother.

I have heard learned counsel for the parties and find no ground to allow the petitioner herein interim bail for a period of 2 weeks. However, as the rasam pagri ceremony is fixed for 10.09.2021, the petitioner is permitted to join the same in custody and accordingly, he will be taken in police custody/escort on the date so fixed, at 9.00 AM from District Jail, Jind and would be taken back to the said jail at 6.00 PM.

The present petition is disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

02.09.2021

sanjeev

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