

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

CRM-M-49414-2021
Date of decision: 03.12.2021

Deepak KocharPetitioner

versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. Gaurav Jindal, Addl.A.G., Haryana
for the respondent-State.

Mr. Abhey Sher Singh, Advocate for
Mr. Akashdeep Singh, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The accused/petitioner-Deepak Kochar who is in judicial custody in a case bearing FIR No.402 dated 22.04.2016 under Sections 302, 201, 120-B, 34 of the Indian Penal Code and Sections 25/54/59 of the Arms Act registered at Police Station Civil Lines, Rohtak, District Rohtak and whose earlier regular bail application was declined by this court has come up in this prayer for interim bail on the ground that marriage of his sister-Karuna is to be solemnized on 11.12.2021 and, therefore, being brother, his presence at the ceremonies would be essential.

Report of the State was also called for, who have filed their reply by way of sworn affidavit of Deputy Superintendent of Police, Rohtak. Admittedly and so is the stand of the State that Karuna, happens to be the real sister of the petitioner, whose marriage is to be solemnized on 11.12.2021 regarding which statements of the respectables of the area including Municipal Commissioner and family have been recorded by the police.

The opposition that has sought to be laid by counsel for the complainant Mr. Abhey Sher Singh, Advocate for Mr. Akashdeep Singh, Advocate that petitioner has another brother, who can carry on with the rituals, is sought to be controverted by the counsel for the petitioner on the grounds that being brother, presence of the petitioner is very much essential.

Appreciating the submissions and keeping in view the unrefuted stand of the State as to this marriage and inter se relationship between the petitioner and to-be-bride, impels this Court to hold that presence of a brother at the wedding of his sister is very much essential.

In light of the relationship and duties that a brother is supposed to perform for the marriage of his sister, merely that the petitioner has another brother, does not mean the petitioner can be construed and that he has no emotions involved with the marriage of his sister.

Being a brother, his presence is very much essential and in light of the same and ensure that the petitioner does not misuse the concession of interim bail, this Court holds that the petitioner shall be allowed bail with effect from 09.12.2021 to 12.12.2021 (04 days) subject to his furnishing of heavy bail bonds in the sum of Rs.5 lacs with two sureties in the like amount each to the satisfaction of the concerned trial Court/Illaq/Duty Magistrate with an undertaking that during his interim bail, he will not move outside the jurisdiction of Rohtak town. The petitioner will surrender before the jail authorities on 13.12.2021 at 10.00 AM.

The present petition stands disposed off accordingly.

03.12.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No