

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-52908-2021

DATE OF DECISION: DECEMBER 27, 2021

BALJINDER SINGH @ BINDI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. ANIL KUMAR, ADVOCATE FOR THE PETITIONER.
MR. DAVINDER BIR SINGH, DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of interim regular bail in case FIR No.76 dated 9.8.2020, under Section 22/29/61/85 NDPS Act, Police Station Lakho Ke Behram, District Ferozepur, for a period of one month to enable him to perform the last rituals of his father, who expired on 7.12.2021.

Learned counsel for the petitioner submits that the petitioner is in custody since his arrest on 9.8.2020, who lost his father on 7.12.2021 and cremation has already taken place, but last ritual of submerging of ashes in Holy Ganga is yet to be performed. Therefore, he prays for interim regular bail for a period of one month.

On the other hand, learned State counsel assisted by ASI Gurdev Singh submits that the deceased is survived by the petitioner and three more sons and the cremation has already taken place. According to him, the last ritual can also be performed by the brothers of the petitioner.

After hearing learned counsel for the parties and considering

the above background, this Court does not find it a fit case for release of the petitioner on interim regular bail as prayed for who can be otherwise taken in custody to submerge the ashes of his father.

Accordingly, it is ordered that the petitioner be taken in custody to submerge the ashes of his father on the date fixed, after verification and the Superintendent, Central Jail, Ferozepur is directed to ensure compliance of this order, subject to the condition that the petitioner shall bear the travelling expenses, etc.

Petition is disposed off.

December 27, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No