

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

(113)

CRM-M-11065-2022

Date of decision:- 17.03.2022

Balraj @ Gogi**... Petitioner****Versus****State of Haryana****... Respondent****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Sandeep Saini, Advocate
for the petitioner.

Ms. Mahhima Yashpal, DAG, Haryana.

...

SUVIR SEHGAL, J. (ORAL)

Vide the instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 read with Section 439, Cr.P.C. for grant of concession of interim bail for a period of two weeks to the petitioner to attend the marriage of his sisters, which is fixed for 20.03.2022.

Counsel for the petitioner submits that the petitioner is in custody and is facing trial in FIR No.200 dated 03.12.2018, registered for offence under Section 346 of the Indian Penal Code, 1860 (Sections 363, 366-A and 120-B, IPC and Sections 6 and 16 of the Protection of Children from Sexual Offences Act, 2012, were added later on), at Police Station Garhi, District Jind, Haryana. He submits that the marriage of both his sisters, namely, Komal and Tamna, has been fixed for 20.03.2022. He has invited the attention of the Court to the wedding card, Annexure P-2.

On 15.03.2022, this Court granted time to the State counsel to verify the factual position and apprise this Court.

By referring to a report dated 16.03.2022 received from SHO, Police Station Garhi, District Jind, State counsel submits that the marriage of the sisters of the petitioner has been verified, statement of the relatives of the petitioner as well as that of the Sarpanch and a chowkidar have been recorded. Upon instructions received from ASI, Satpal, she has opposed the petition by submitting that the allegations levelled against the petitioner are serious and both the prosecutrix as well as the complainant, who have been examined, have supported the case of the prosecution.

Having heard counsel for the parties, this Court is of view that the presence of the petitioner at the time of the marriage of his sisters is essential. The petitioner is lodged at District Jail, Jind and the marriage is to be solemnized in District Kaithal, which is at a distance of approximately about 50 kms. This Court, therefore, deems it appropriate to dispose of the petition with a direction that the petitioner be taken to the venue of the marriage in proper police custody as per police rules in the morning on 20.03.2022 and be brought back to the jail premises in the evening on the same day.

Superintendent, District Jail, Jind is directed to make necessary arrangements in this regard.

(SUVIR SEHGAL)
JUDGE

17.03.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No