

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13668-2022
Date of order: 07.04.2022

Rulia Ram

...Petitioner(s)

Versus

The State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Priye Jain, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

The petitioner, who is in custody for having been found in possession of 2 quintals 78 kg and 955 grams of *Ganja*, which falls in commercial quantity (commercial quantity being greater than 20 kg.) in case FIR No.200 dated 5.7.2021 under Section 20 Narcotics Drugs and Psychotropic Substances Act, 1985 (for short, "the NDPS Act") and Section 29 of the NDPS Act (added later on) Police Station City Thanesar, District Kurukshetra, has come up before this Court under Section 439 CrPC read with Section 482 CrPC seeking interim/temporary bail for a period of three weeks so that he could attend the marriage of his grand-daughter.

In paragraph 4 of the bail petition, it is mentioned that marriage of Sonia grand-daughter of the petitioner is fixed for 15.4.2022 at Kurukshetra and being maternal grand-father he has to perform certain rituals.

Learned counsel for the petitioner submits that mother of Sonia was adopted by the petitioner and he has brought her up like his own daughter.

Learned State's counsel submits that they have enquired at ground level and the factum of marriage of Sonia is not denied. However, he has strongly opposed the bail on the ground that the petitioner has a long criminal history and 14 more cases are registered against him and there is every possibility that the petitioner-accused may abscond, if released on bail.

I have considered the previous criminal history of the petitioner, as mentioned in the custody certificate as well as the huge quantity of the contraband recovered from him in this case and as such, I am not inclined to grant temporary bail to the petitioner.

However, being maternal grandfather though there are not much rituals to be performed by the petitioner, but since the factum of marriage of his grand-daughter is not disputed and it would be a lifetime memory both for the bride as well as the maternal grandfather and also the adopted daughter of the petitioner, this Court feels that the petitioner can be allowed to attend the marriage in police custody.

Accordingly, if the petitioner wants to attend the marriage in police custody, he shall make an application to the Superintendent of Jail concerned in this regard with an assurance that he shall not try to flee away/abscond and on receipt of such letter, the concerned Superintendent of Jail shall ensure that the petitioner attends the marriage on the date and time, as mentioned in the petition, in appropriate police custody.

There would be no need for a certified copy of this order and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for necessary action.

The petition is disposed of in the terms mentioned above.

(ANOOP CHITKARA)
JUDGE

April 07, 2022
Jyoti-II/AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.