

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-10645-2022

Decided on:11.11.2022

Virender

....Petitioner

V/s.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankit Chahal, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl.A.G., Haryana with
Mr. Saurabh Mago, A.A.G., Haryana.

Ritu Bahri, J. (Oral)

The petitioner is seeking grant of emergency temporary release and interim bail to enable him to perform last rites and rituals of his father who has died on 01.11.2022 (intervening night of 01.11.2022/02.11.2022).

A perusal of the order dated 03.11.2022 (Annexure P-2) shows that the learned Sessions Judge, Jind has disposed of the application of the petitioner for interim bail with a direction to the respondents to take the petitioner in custody to his house on 04.11.2022 at 10:00 a.m. and bring back at 03.00 p.m. It is further observed in the said order that the 'Tehervi' ceremony is to be performed on 14.11.2022.

Learned counsel for the petitioner states that the petitioner has lost his mother and he is the only person who can perform the last rites and rituals of his father.

Learned counsel for the State has informed that apart from facing trial under Section 307 IPC, the petitioner is convicted under Section 302 IPC as well in the year 2019 and he is on bail in a case relating to NDPS Act.

Keeping in view that the mother of the petitioner is no more and he is the only male member who can perform the last rites and rituals of his father, petition is allowed and the direction is given to the State to release the petitioner at 09:00 a.m from the concerned jail authority on 14.11.2022 and he will be brought back from his house at 05:00 p.m on 14.11.2022 itself.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

11.11.2022
Divyanshi

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No