

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-54455-2022

Date of Decision :08.12.2022

Harjit Singh

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Rajni Gupta, Advocate for the petitioner.

Mr. Athar Ahmed, DAG, Punjab assisted by
Mr. Sakhattar Singh, ASI.

* * *

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that though, the present petition has been filed under Section 439 of the Cr.P.C for the grant of regular bail to the petitioner but the same be treated for the grant of interim bail to the petitioner so as to enable him to attend the marriage of his brother-in-law which is scheduled to be solemnized on 11.12.2022.

On 30.11.2022, learned State counsel was directed to file an appropriate affidavit so as to verify whether there is an occasion of marriage in the family of the petitioner and whether the State has any objection for the grant of interim bail to the petitioner.

Learned State counsel on instructions from Mr. Sakhattar Singh, ASI submits that the facts have been verified and it is correct that the brother-in-law of the petitioner is getting married on 11.12.2022. Learned counsel for the respondents submits that though, there is no serious objection for the grant of said concession to the petitioner but it may be

ensured that petitioner returns back to the prison after availing the benefit of interim bail especially, when there is an another case which has been registered against the petitioner.

Learned counsel for the petitioner submits that the second case against the petitioner which is being projected before this Court was registered when the petitioner was behind the bars and that too only on the disclosure statement of the co-accused, wherein the petitioner is already on bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is not disputed that brother-in-law of the petitioner is getting married on 11.12.2022. There is no serious objection raised by the State for grant of benefit of interim bail to the petitioner but the only apprehension is that return of the petitioner to the prison be secured.

Learned counsel for the petitioner has undertaken before this Court that the petitioner will return back to the jail after availing interim bail.

Keeping in view the above, petitioner is extended benefit of interim bail for a period of 07 days starting from 10.12.2022. The petitioner is directed to report back to the prison authority on 17.12.2022 by 5.p.m.

Trial Court/Duty Magistrate is directed to ensure that appropriate conditions are imposed upon the petitioner to ensure his return to the prison as directed hereinbefore while passing the release order.

December 08, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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