

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-55201-2022 (O&M)

Date of Decision:-24.11.2022

Inder Mohan @ Satte

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Randeep S. Dhull, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of *interim* bail in respect of a case registered vide FIR No.285, dated 5.12.2017, Police Station Hassanpur, District Palwal, under Sections 148, 149, 302, 120-B, 216 of Indian Penal Code and Section 25 of Arms Act, so as to participate in the last rites in respect of death of his nephew whose '*Tehravin*' ceremony is to be performed on 1.12.2022.
2. Notice of motion.
3. On asking of the Court, Mr. Rajiv Sidhu, DAG, Haryana, upon whom an advance copy of petition had been served, accepts notice on behalf of the respondent-State.
4. A perusal of order dated 19.11.2022 (Annexure P-1) passed by learned Additional Sessions Judge, Palwal, shows that the Trial Court while accepting the factum of death of petitioner's nephew had permitted the

petitioner to attend the 'Asthi Visarjan' ceremony in respect of death of his nephew on 20.11.2022 while in custody. As such, there can possibly be no dispute that petitioner's nephew has indeed expired.

5. Having regard to the facts and circumstances of the case and that the petitioner stands involved in a case registered for offence under Section 302 IPC, the instant petition is accepted to the limited extent that the petitioner is permitted to attend the 'Tehravin' ceremony in respect of death of his nephew, which is to be held on 1.12.2022, while in custody.
6. The Superintendent, District Jail, Faridabad shall do the needful for taking the petitioner while in custody to the venue of 'Tehravin' ceremony in respect of death of his nephew on 1.12.2022 in the morning and consign him back in the jail on the evening of 1.12.2022 itself.
7. The aforesaid order shall, however, be subject to the condition that the family of the petitioner deposits the expenses in advance, which are to be incurred for taking the petitioner to the venue of the said ceremony and to consign him back in jail.
8. The instant petition stands disposed off accordingly.

24.11.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No