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

CRM-M-173-2023

Date of decision : 06.01.2023

Sher Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ankur Jain, Advocate for the petitioner.

Mr. Alankar Narula, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 read with Section 439 Cr.P.C. seeking grant of interim bail to the petitioner in case bearing FIR No.58 dated 28.03.2022 under Sections 21(c), 25 and 29 of the NDPS Act, 1985 read with Section 25 of the Arms Act, 1959 (Sections 379, 411 and 489 of IPC added later on) at Police Station Special Task Force, STF Wing, Mohali, for a period of six weeks.

Learned counsel for the petitioner has submitted that petitioner is 26 years of age and had been engaged to one Jaskaran Kaur daughter of Dilbagh Singh resident of Johar Singh Wala, Tehsil Patti, District Tarn Taran and the roka ceremony had already been performed prior to the registration of the FIR and now, the marriage ceremony of the petitioner has

been fixed for 16.01.2023 and the shagan ceremony is fixed for 15.01.2023 and has referred to the Marriage Card (Annexure P-2) as well as the Panchayatnama (Annexure P-3) in which, Gram Panchayat, Village Gharyala, Tehsil Patti, District Tarn Taran has verified the fact that the marriage of the petitioner with Jaskaran Kaur is to be performed on 16.01.2023 and shagan ceremony is to take place on 15.01.2023 and that the petitioner is the only son of his parents and the mother of the petitioner remains sick and arrangements have to be made by the petitioner for his wedding and that there is no apprehension of any breach of peace on the arrival of the petitioner on interim bail and that the said Gram Panchayat has taken the responsibility for the petitioner. It is thus, prayed that on the basis of the said aspect, the petitioner be granted interim bail for a period of six weeks and the petitioner undertakes to surrender in accordance with the conditions set out in the order passed by this Court. It is further contended that the petitioner is in custody since 28.03.2022 and is not involved in any other case other than the present case.

On 05.01.2023, this Court had directed learned State Counsel to verify the averments made in the petition more so, with respect to the marriage of the petitioner.

Learned State Counsel, on instructions from ASI Gursewak Singh, has submitted that the fact that the petitioner is getting married stands verified and has even produced the original marriage card and the attested copy of the Panchayatnama before this Court, which are taken on record and marked as Mark 'A' and 'B', respectively.

This Court has heard learned counsel for the parties and has

perused the paper book.

Keeping in view the abovesaid facts and circumstances, more so, the fact that the marriage of the petitioner with Jaskaran Kaur daughter of Dilbagh Singh which is to be held on 16.01.2023 stands verified and also the fact that the Panchayat of Village Gharyala, Tehsil Patti, District Tarn Taran has certified the fact with respect to the marriage of the petitioner as well as the fact that the petitioner is the only son of his parents and mother of the petitioner is not keeping well and arrangements have to be made by the petitioner with respect to his wedding and there is no apprehension of breach of peace on the arrival of the petitioner on interim bail and the fact that the petitioner is not involved in any other case other than the present case, the present petition is allowed and the petitioner is ordered to be released on interim bail uptill 11:00 AM on 10.02.2023 subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court. The petitioner would surrender before the Jail Gate of Central Jail, Sri Goindwal Sahib at 11:00 AM on 10.02.2023.

06.01.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No