

106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2122-2023
DECIDED ON:16th JANUARY, 2023

VISHAL KUMDRA @ DR. VISHAL KUMDRA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J.(ORAL)

The jurisdiction of this Court under Section 439 read with Section 482 Cr.P.C., has been invoked for the grant of interim bail to the petitioner in FIR No. 182, dated 24.08.2022, under Sections 304 and 420 IPC and Section 15 of Indian Medical Council Act, 1956, registered at Police Station Hakima District Police Commissionerate Amritsar, for a period of 40 days w.e.f. 20.01.2023 to 01.03.2023 on account of marriage of his daughter.

Learned counsel for the petitioner contends that following the function of Shagun ceremony on 20.02.2023, the marriage of his daughter is going to be solemnized on 22.02.2023. In support of his afore-said contention, a copy of marriage card is attached as Annexure P-2.

A perusal of file reveals that vide order dated 03.01.2023 (Annexure P-3) passed by learned Additional Sessions Judge, Amritsar, the petitioner has already been granted the concession of interim bail and a direction was issued to the Jail Superintendent, Central Jail, Amritsar to

make necessary arrangements for allowing him to attend the Shagun Ceremony which is scheduled on 20.02.2023 from 10.00 A.M. to 5.00 P.M. at Shelton Resort, Albert Road, Amritsar and also to attend the marriage ceremony of his daughter which is scheduled to be held on 22.02.2023 from 5.00 P.M. to 5.00 A.M. of 23.02.2023 at White Castle Resort, Pinjore, Haryana while being handcuffed at the costs of the petitioner.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent-State and has opposed the prayer made in the present petition on the ground that the petitioner has already been granted the relief of interim bail by the Court below. However, he does not controvert the factum of the marriage of the daughter of the petitioner.

Heard learned counsel for the parties at length.

Looking at the gravity and seriousness of the offence committed by the petitioner, this Court is of the considered view that the necessary relief already stands granted by the trial Court vide order dated 03.01.2023. The impugned order is just, legal and based on equity, hence, seeking more relief from this Court by the petitioner is totally a superfluous prayer.

However, the impugned order dated 03.01.2023 (Annexure P-3) is modified to the extent that while attending the marriage ceremonies, the petitioner shall be allowed to perform the rituals as a father and during the said duration he shall not be handcuffed.

Authorities will be at liberty to handcuff the petitioner immediately after the rituals/ceremonies are over.

It shall be the responsibility of the Commissioner of Police, Amritsar to make adequate arrangement for safe and secure transmission of the petitioner to the venue of marriage.

In view of afore-said modification in the impugned order dated 03.01.2023, the present petition stands disposed of.

A copy of this order be forwarded to Commissioner of Police, Amritsar for strict compliance.

16th JANUARY, 2023
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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>