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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12064-2023
Date of Decision: 16.03.2023

Rajbir Singh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.P. Kaushal, Advocate, for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of interim bail to the petitioner on the ground that the father of the petitioner had died and now the bhog ceremony is to take place on 17.03.2023.

Notice of the petition was issued to the State and today, Ms. Nidhi Garg, learned AAG, Haryana has stated on instructions that the factum of the bhog ceremony of the father of the petitioner has been verified by the police and it is scheduled to be conducted on 17.03.2023.

I have heard the learned counsel for the parties.

The petitioner has already faced incarceration for 2 years and 1 month and as per the learned counsel for the parties, the petitioner is not involved in any other case and he is a first time offender. The alleged recovery in the present case was 300 kgs of 'ganja patti' from the petitioner

and the co-accused. However, the petitioner has already faced incarceration for more than 2 years. Considering the antecedents and long custody of the petitioner and as per the learned counsel for the parties, the petitioner is the only son who is to perform the ceremonies, this Court deems it fit and proper to grant interim bail to the petitioner.

Consequently, the present petition is allowed. The petitioner shall be released on interim bail for a period of one week subject to his furnishing bail bond/surety bond to satisfaction of the trial Court/Duty Magistrate concerned. He shall surrender before the jail authorities immediately on the expiry of the aforesaid period i.e. on or before 5.00 P.M. on 22.03.2023.

16.03.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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