

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

CRM-M-19557-2023

Date of Decision: 20.04.2023

Karambir

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Jitender Nara, Advocate, for the petitioner.

Mr. Kirpal Singh Thakur, Asstt. Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Instant petition has been filed under Section 439 Cr.P.C. for grant of interim bail to the petitioner for a period of 10 days in a case FIR No.75, dated 26.10.2020, registered under Sections 376(2)(n), 313, 406, 506, 34 IPC and Section 4 of POCSO Act, 2012 (Section 376 IPC and Section 6 of POCSO Act added and Section 313 IPC and Section 4 of POCSO Act deleted lateron), at Women Police Station Rohtak, District Rohtak, to enable him to arrange and attend the marriage ceremony of his nephew (bhanja), namely, Bharat, which is fixed for 21.04.2023 and 22.04.2023.

It has been submitted by learned counsel for the petitioner that the petitioner being maternal uncle (mama) of Bharat, is required to attend the marriage. He submits that the petitioner duly approached the Court of learned Additional Sessions Judge, POCSO Court, Rohtak, however, his request was declined without appreciating the exigencies in the case. He has submitted that the only ground considered for rejection of the interim bail of the petitioner by the trial Court is that there is apprehension that the petitioner can commit some heinous offence.

Learned State counsel has submitted before this Court that the majority of the witnesses has already been examined and the trial is at the fag end. On instructions from SHO Promila, he has further submitted that they have verified the factum regarding the marriage of nephew of the petitioner on 21.04.2023 and 22.04.2023 and the same has been found to be correct.

After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner is seeking interim bail for attending the marriage of his nephew, which is fixed for 21.04.2023 and 22.04.2023. Keeping in view the prayer made by the petitioner as well as the offence with which the petitioner has been charged, this Court finds it appropriate to allow the petitioner to attend the marriage ceremony of his nephew on 21.04.2023 in police custody.

Jail Superintendent is directed to make arrangements for taking the petitioner to the place of marriage in police custody on 21.04.2023 in the morning and bring him back and lodge in the jail in the evening on the same day.

The petition stands disposed of.

20.04.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No