

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CRM-M-56258-2023

Date of Decision: 09.11.2023

Tejinder Pal singh @ Peter

...Petitioner

Versus

State of Punjab.

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. A.P.S. Deol, Senior Advocate, with
Mr. K.P.S. Virk, Advocate, for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

VIKAS SURI, J. (Oral)

1. This is a petition filed under Section 439 Cr.P.C. for grant of interim bail for 07 days in case FIR No.56 dated 03.05.2023 under Sections 302, 506 and 188 IPC, and Sections 8 and 27 of Arms Act, registered at Police Station City Samana, Distirict Patiala (Annexure P-1) on account of marriage of his son Yudhvir Singh, scheduled to be held on 08.11.2023 and reception function to be held on the following date i.e. 09.11.2023.

2. Upon notice, learned State counsel has pointed out that similar prayer was made before the trial Court which was partly accepted vide order dated 31.10.2023 passed by the trial Court. The operative part of the said order reads as thus:-

“3. Keeping in view the fact that the applicant-accused is facing trial for committing double murder

i.e. Braham Parkash and Sunny and there are also allegations that he has criminally intimidated the complainant Raj Kaur by giving threats to kill her. Hence, there are chances of his fleeing away if granted interim bail for the above said period. Therefore, the request for grant of interim bail to the applicant-accused for the aforesaid period is declined. However, keeping in view the ends of justice, as the accused is father of Yudhvair Singh and his presence is necessary at the time of marriage of his son, therefore, the Superintendent Central Jail, Patiala, is directed to ensure that applicant accused Tajinder Pal Singh @ Peter is taken to Fateh Niwas, Lal Ji Di Kothi, Miachi Hattar Chownk, Samana, Tehsil Samana, District Patiala, at 7.00 a.m. on 08.11.2023 and thereafter he be taken to Spring Fields Nabha Road, Patiala, to attend the marriage ceremony functions of his son Yudhvair Singh, at 9.00 a.m. on the same day and thereafter he shall be brought back to jail after the marriage ceremonies at 4.00 p.m. on the same day i.e. on 08.11.2023 itself in the evening. The expenses of vehicle for travelling from jail premises to the above said place and back to jail shall be borne by the family members of accused applicant. The family members of accused shall reach Central Jail, Patiala at least half an hour prior so that prior arrangement can be made towards the security by the Superintendent, Central Jail, Patiala and there is no lapse towards security arrangement. After attending marriage Ceremony accused shall be brought back to jail. The copy of order be sent to the Superintendent, Central Jail, Patiala for due compliance. Copy of order be also sent to SSP, Patiala for information. These papers be attached

with the record of the main case.”

3. Learned State counsel, on instructions from HC Jagdish Kumar present in Court, submits that in compliance of the aforesaid order, the petitioner was taken under armed escort to attend the marriage ceremony and has been deposited back to the jail on the same date.

4. Learned counsel for the petitioner prays for similar arrangement for attending the marriage reception function by the petitioner today evening.

5. On a query put by this Court as to whether the petitioner can be admitted back in late hours, learned State counsel, on telephonic instructions received from Shri Harcharan Singh Gill, Additional Superintendent, Central Jail, Patiala, submits that the petitioner can be admitted back in the late hours in case such a direction is issued by the Court.

6. In light of the above discussion, petitioner is permitted to attend the marriage reception scheduled for today i.e. 09.11.2023 as per the invitation card (Annexure P-2). Petitioner be taken to the venue of reception under armed escort at 4:00 PM and brought back to the jail by 12:00 PM today itself. The expenses of the entire arrangement shall be borne by the family of the petitioner.

7. The petition stands partly allowed in above terms.

8. There would be no need for a certified copy of this order for conveying the same to the quarter concerned and any advocate for the petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the jail authority wants to verify the authenticity, the concerned officer can also

verify its authenticity and may download and use the downloaded copy for compliance.

November 09, 2023
harish

(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No