

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-7129-2024 (O&M)
Date of Decision:-12.2.2024

Jaskaran Singh @ Jaskarasn Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranbir Singh Sekhon, Advocate for the petitioner.
Mr. Sartaj Singh Gill, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of *interim* bail for 2 weeks so as to make arrangements and to attend marriage of his younger brother, namely Gurbinder Singh Sandhu, which stated to be solemnized on 16.2.2024.
2. Pursuant to issuance of notice of motion on 8.2.2024, learned State counsel has filed reply by way of affidavit of Shri Shamsheer Singh, PPS, Deputy Superintendent of Police, Sub Division Faridkot, which is taken on record. It has been reported in the aforesaid reply that assertion of the petitioner regarding marriage of his younger brother has been verified and found to be correct. The aforesaid reply is accompanied by statements of Shri Harbans Singh Sarpanch, Rajinder Singh Nambardar and Gurcharan Singh Member Panchayat.

3. Learned counsel representing the petitioner submitted that the petitioner's father is no more and that since there is nothing on record to show that he has ever misused the concession of bail though he had earlier been granted bail on account of non-submission of report of FSL, he may be granted the concession of interim bail.
4. On the other hand, learned State counsel submitted that since the matter pertains to recovery of 'non-commercial' quantity of contraband, no case for grant of any interim bail is made out. It has further been submitted that the petitioner happens to be involved in two other cases out of which 1 case pertains to an offence under NDPS Act.
5. This Court has considered rival submissions addressed before this Court.
6. It is certainly a case where the petitioner is involved in a case pertaining to recovery of 'non-commercial' quantity of contraband. However, it is also not disputed that the petitioner had earlier been granted bail on account of non-submission of report of FSL, but upon submission of the said report he himself surrendered before the authorities concerned. The petitioner's father is stated to have expired. Under these circumstances, it goes without saying that the presence of the petitioner would be required so as to make several arrangements and also to perform various rites and ceremonies related to marriage of his younger brother.
7. The instant petition, as such, is allowed and the petitioner is ordered to be released on *interim* bail forthwith upto 23.2.2024, subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

8. The petitioner, after availing *interim* bail, shall surrender before the Jail Authorities on the morning of 24.2.2024 by 10:00 a.m.
9. It is further made clear that the aforesaid order shall enure offence under Sections 411, 473 of Indian Penal Code and Section 21(c) of NDPS Act as well.

12.2.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No