

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

CRM-M-8280 of 2024

DATE OF DECISION :- 16.02.2024

Mohan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. N.K. Chhokar, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J. (Oral)

Mr. Ajay Chauhan, Advocate appearing for Mr. Diwan S. Adlakha, Advocate has filed memo of appearance for the complainant. The same be taken on record.

The present petition has been filed under Section 439 of Cr.P.C with the following substantial prayer :-

“It is therefore, respectfully prayed that present petition may kindly be allowed and present petitioner may kindly be granted concession of interim bail for 4 weeks in case FIR No. 85 Dated 05.03.2022, under Sections 302,34/114 of IPC, 1860 and Section 25 of Arms Act, 1959 (Section 354 of IPC added later on), registered at Police Station Chandhut, District Palwal, Haryana, enabling him to perform the last rites scheduled to be held on 19.02.2024 on account of death of his mother who was expired on 08.02.2024, in the interest of justice.”

Notice of motion was issued and in response thereto the learned State counsel has filed a short status report dated 15.02.2024 in the Court

today. The same be taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

The above said status report, filed by the State of Haryana, indicates that the mother of the petitioner namely Smt. Virma Devi had died on 08.02.2024 and her last rites are to be performed at Village Singoni, Post Managarhi, Police Station Naujheel, District Mathura, U.P. The petitioner was earlier sent to his native place on 08.02.2024 to attend the cremation under police escort and was lodged back in the jail on the same day.

Keeping in view of the entirety of facts and circumstances of the case, the petitioner is directed to be released on interim bail for a period of 10 days commencing from 17.02.2024 till 27.02.2024 on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. The petitioner shall surrender before the concerned CJM/Duty Magistrate, on 28.02.2024 at 10.00 A.M wherein after he shall be lodged back in concerned jail. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number

without prior permission of the trial Court/Illaq
Magistrate.

(vii) The petitioner shall not in any manner try to delay
the trial.

In case of breach of any of the aforesaid conditions and those
which may be imposed by concerned CJM/Duty Magistrate as directed
hereinabove or upon showing any other sufficient cause, the
State/complainant shall be at liberty to move cancellation of bail of the
petitioner.

The petition stands disposed of accordingly.

(SUMEET GOEL)
JUDGE

16.02.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No