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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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CRM-M-55548-2024 (O&M)
Date of decision: 14.11.2024

Raj Singh @ Karan ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Karandeep Singh Sidhu, Advocate
for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. This petition has been filed by the petitioner under Section 483 read with Section 528 of BNSS, 2023 seeking grant of interim bail for a period of four weeks in case arising out of FIR No. 321 dated 16.10.2023, registered under Section 21 of the NDPS Act, 1985 at Police Station Phase 4, Mohali, SAS Nagar, to attend the marriage ceremony of his real sister.
2. Learned counsel for the petitioner has submitted that the petitioner has been booked and detained in the aforesaid FIR and is facing trial. The marriage of his sister is to be solemnized on 24.11.2024. It is further submitted that since the mother of the petitioner has already expired and his father has performed second marriage, there is nobody in the family to perform the rituals in the marriage. In support of his claim, the petitioner has placed on record a copy of the wedding invitation card. It is, therefore, urged that the petition deserves to be allowed and petitioner deserves to be granted concession of interim bail for the said purpose.

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3. Short reply has been filed by the respondent-State, which is taken on record. In terms of reply, learned State counsel has submitted that on verification, the claim of the petitioner has been found true as the marriage of his sister is fixed for 24.11.2024. Although, he has not raised any serious objection to the prayer made by the petitioner, however, it is submitted that in order to prevent the petitioner from fleeing as he is involved in some other cases as well, he may be subjected to furnish adequate personal and surety bonds, in case he is granted concession of interim bail.

4. I have heard learned counsel for the parties and have also gone through the record carefully.

5. The petitioner has been booked in the aforesaid FIR and is facing trial, while in custody. It is claimed by him that the marriage of his sister is fixed for 24.11.2024 and since his mother has already passed away and his father has performed second marriage, there is no one in the family except him to perform the rituals. He has placed on record a copy of the wedding invitation card, a perusal of which, supports the claim of the petitioner. As per verification made by the respondent-State, the marriage of the sister of the petitioner is fixed for 24.11.2024. In view thereof, this Court is of the considered opinion that no prejudice will be caused to the respondent-State or any other party in case the petitioner is released on interim bail for a limited period in order to enable him to attend the marriage ceremony of his sister.

6. Accordingly, without going into the merits of the case and strictly for the aforesaid purpose, the present petition is allowed and the petitioner is ordered to be released on interim bail for the period from 18.11.2024 to

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28.11.2024, subject to his furnishing personal bonds as well as two surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. It is made clear that the petitioner shall surrender before the jail authorities on 29.11.2024 by 05:00 PM.

8. Let a copy of this order be sent to Jail Superintendent and the learned trial Court for intimation and compliance.

14.11.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No