

2024:PHHC:148472



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

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CRM-M-55817-2024 (O&M)
Date of decision: 11.11.2024

Nishant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lokesh Sharma, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

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 from 12.11.2024 to 16.11.2024 in case arising out of FIR No. 276 dated 25.12.2022, registered under Sections 302, 34, 120-B, 201, 394, 397 of IPC and Section 25 of the Arms Act, 1959 at Police Station Bahu Akbarpur, District Rohtak, 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 14.11.2024. Since the father has already expired, 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

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deserves to be allowed and petitioner deserves to be granted concession of interim bail for the said purpose.

3. Learned State counsel, on instructions, has submitted that on verification, the claim of the petitioner has been found true as the marriage of his sister is fixed for 14.11.2024. 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, 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 14.11.2024 and since his father has already passed away, 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 14.11.2024. 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.

7. 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 a period from 13.11.2024

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16.11.2024, subject to his furnishing personal bonds as well as two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is made clear that the petitioner shall surrender before the jail authorities on 16.11.2024 by 05:00 PM.

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

11.11.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No