

2024:PHHC:171622



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

114

CRM-M-64841-2024 (O&M)
Date of decision: 20.12.2024

Akashdeep Singh ...Petitioner
Versus
State of Punjab ...Respondent

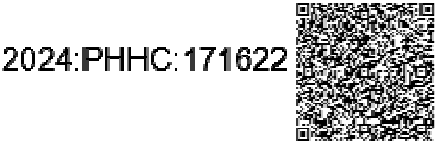
CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of interim bail to the petitioner for a period of 07 days to perform the last rituals of his grandfather, whose bhog ceremony is fixed for 21.12.2024, in case arising out of FIR No. 0045, dated 24.04.2024, registered under Sections 21(c) and 29 of the NDPS Act, 1985 and Sections 10, 11 and 12 of the Aircraft Act, 1934 at Police Station Khalra, District Tarn Taran.
2. Learned counsel for the petitioner submits that the petitioner is arraigned as an accused in the aforesaid FIR and presently, he is lodged in Central Jail, Sri Goindwal Sahib, District Tarn Taran. It is further submitted that the grandfather of the petitioner had expired on 12.12.2024 and his bhog ceremony is to be performed on 21.12.2024. It is further submitted that since there is no male member in the family as father and uncle of the petitioner have already expired, he is required to perform the last rites of his grandfather. Hence, it is urged that the petitioner may be granted concession of interim bail for the said purpose.



3. Learned State counsel, who has advance notice of the petition, has expressed apprehension of the petitioner’s absconding or influencing the prosecution witnesses, if extended concession of interim bail. The petitioner is also shown to be involved in one more case under the NDPS Act. However, the factum of the death of his grandfather is not disputed by her.
4. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.
5. Since this Court is not convinced with the prayer of the petitioner, learned counsel for the petitioner has restrained his arguments and has submitted that the petitioner may be permitted to attend the bhog ceremony of his grandfather in police custody on 21.12.2024.
6. In view of the limited prayer made by the petitioner and on considering the personal circumstances surrounding the petitioner’s family obligations, the present petition is partly allowed. The Senior Superintendent of Police, Tarn Taran shall ensure that the petitioner is made to attend the bhog ceremony of his grandfather on the above mentioned date in safe policy custody. The petitioner shall be taken to the bhog ceremony by 10:00 AM and shall be lodged in jail on the same day by 04:00 PM. The Senior Superintendent of Police, Tarn Taran shall be informed by learned State counsel in this regard. It is made clear that all the expenses incurred for taking the petitioner to the venue on 21.12.2024, i.e. hiring of vehicle etc., shall be borne by the petitioner himself.

20.12.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No