

CRM No.12958 of 2020 in CRA-D-1121-DB of 2018
Pawan and another vs State of Haryana

Present : Mr. Vinod Ghai, Sr. Advocate
with Mr. Arjun Sheoran, Advocate
for applicant-appellant No.2, namely, Virender @ Bijender.

Mr. Ankur Mittal, Addl. A.G., Haryana.

* * *

Case has been heard through Video Conferencing in view of Covid-19 pandemic.

Applicant/appellant No.2, namely, Virender @ Bijender has approached this Court, by way of filing the present application, for interim suspension of sentence on the ground that his daughter, namely, Tamanna is going to be married on 15.07.2020 and his presence is necessary, being father, not only to make arrangement of the marriage but to perform certain ceremonies which are customary.

Learned Sr. counsel for applicant-appellant No.2 submits that applicant-appellant No.2 undertakes not to misuse the concession. He further submits that in two other cases, the applicant-appellant No.2 is on bail and the undergone custody period is approximately 04 years and 11 months. The applicant-appellant No.2 is also ready to abide by all terms and conditions to be imposed by this Court or by the jail authorities.

Learned State counsel has not disputed the factum of marriage of the daughter of applicant-appellant No.2 as well as the custody period undergone by him. However, he has opposed interim suspension of sentence of applicant-appellant No.2 on the grounds that he is involved in four more cases and is a hardcore criminal.

Heard the arguments of learned counsel for the parties and we have also perused the relevant record including the custody certificate. There are total four cases, out of which, in two cases, he is on bail

CRM No.12958 of 2020 in CRA-D-1121-DB of 2018

-2-

and in remaining two cases, applications have been moved for interim suspension of sentence, which are listed for hearing today only.

Admittedly, the marriage of the daughter of applicant-appellant No.2 is fixed for 15.07.2020 and the presence of applicant, being father, is required not only to perform certain ceremonies/rituals but also to make arrangements.

By considering the submissions and the grounds taken in the application for interim suspension of sentence and also the fact that in two more cases, he is on bail and also that he has undertaken to abide by all terms and conditions to be imposed by this Court as well as by the jail authorities, we allow this application and order for interim suspension of sentence of applicant-appellant No.2 for a period of three weeks, i.e two weeks prior to the date of marriage i.e 15.07.2020 and one week thereafter w.e.f. 01.07.2020 to 21.07.2020 on his furnishing the bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate/Illaqa/Duty Magistrate, Hissar. It is also directed that applicant-appellant No.2 shall surrender before the concerned Jail Authority on 22.07.2020. He shall also report at the nearest concerned Police Station at the end of every week and will not involve himself in any criminal activity during this period.

(DAYA CHAUDHARY)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

June 22, 2020
gurpreet