

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

CRWP No.103 of 2015

Date of decision :28.01.2015

Jasmeet Singh @ Jassi @ Pathar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE M. JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Rakesh Kumar, Advocate
for the petitioner.

Mr. Arshwinder Singh, AddlAG, Punjab.

M.JEYAPPAUL, J.

The writ petition is filed praying for grant of temporary release on parole for two weeks under Section 3 (1) (b) of the Punjab Good Conduct Prisoners (Temporary Release) Act 1962 for attending the marriage of real sister of the petitioner, which is scheduled on 29.01.2015.

Referring to Annexure P-3 dated 07.01.2015, learned counsel appearing for the writ petitioner would submit that the applicant infact moved necessary application before DGP, Prison, Punjab and the Superintendent Central Jail, Jalandhar, but the same has not been disposed of as on today.

Learned State counsel appearing for the respondents would submit that though it is a fact that the said application submitted by the petitioner was not disposed

of by the Jail Authorities, the applicant being brother of the bride is not entitled to parole in terms of Section 3 (1) (b) of the Punjab Good Conduct Prisoners (Temporary Release) Act 1962. A convict is entitled to parole to attend the marriage of his/her daughter or son as per the above provision of law.

This Court had in umpteen number of cases extended the concession of parole even in a case where the convicts close relatives' marriage was proposed to be held. But, at any rate considering the specific enabling provision found under Section 3 (1) (b) of the Punjab Good Conduct Prisoners (Temporary Release) Act 1962 extending the concession only to the convict whose daughter or sons marriage is proposed to be held, we are not inclined to grant the release of the petitioner on parole. But, considering the fact that the marriage of the sister of writ petitioner is proposed to be held on 29.01.2015, we are inclined to give a direction to the Jail Authorities to take him out from prison in police escort to facilitate him to attend the marriage and return to the prison in police escort.

In view of the above, the 4th respondent i.e. Superintendent Central Jail, Jalandhar, District Jalandhar, situated at Kapurthala is directed to send the writ petitioner in police escort at 08.30 a.m on 29.01.2015 to attend the marriage of his sister and take him back to jail at 6.00.p.m on the same day.

The writ petition is disposed of accordingly. Copy of this order be issued under the signatures of Special Secretary.

**(M. JEYAPPAUL)
JUDGE**

January 28, 2015
s.khan

**(DARSHAN SINGH)
JUDGE**