

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

212

Criminal Writ Petition No.1223 of 2015

Date of decision: September 09, 2015

Kuldeep Singh @ Keepa

....Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Nandan Jindal, Advocate for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 482 Cr.P.C. for issuance of direction to the respondents to transfer the petitioner, who is presently confined in Central Jail, Gurdaspur to his home District Jail in view of Para 657 of the Punjab Jail Manual.

Learned counsel for the petitioner contends that the petitioner has been convicted in case FIR No.27 dated 07.02.2005 under Sections 364, 397, 382 IPC at Police Station Civil Lines, Amritsar and sentenced to undergo life imprisonment vide judgment dated 12.10.2007 passed by learned Additional Sessions Judge, Amritsar. He also contends that Criminal Appeal No.1062-DB of 2007 filed against judgement of conviction dated 12.10.2007 was dismissed by this Court vide order dated

19.12.2011. He also submits that the petitioner filed Criminal Misc. No. M-33610 of 2013 for his transfer from Maximum Security Jail, Nabha to some other Jail which was disposed of with a direction to respondent No.1 to consider his case and thereafter, he was transferred to Central Jail, Gurdaspur which is about 80 Kms. away from his home district i.e. District Jalandhar. He also contends that the father of the petitioner is 80 years of age and is suffering from serious ailment and the mother of the petitioner had already expired. His wife and minor children are residing at Jalandhar and it is very difficult for them to meet the petitioner in District Jail, Gurdaspur. He also submits that in view of Para 657 of the Punjab Jail Manual, the life convicts should be allowed to stay in the District/Central Jail nearest to their home district. The wife of the petitioner has already made a representation(Annexure P-3) along with the Panchayat Nama before the concerned authority but the same has not been decided so far. He also submits that the petitioner would be satisfied, in case, a direction is issued to respondent No.1 to consider the representation(Annexure P-3) and decide the same.

Accordingly, in view of Para 657 of the Punjab Jail Manual and keeping in view the limited prayer of the petitioner, the present petition is disposed of with direction to respondent No.1 to consider the representation moved by wife of the petitioner (Annexure P-3) in accordance with law and pass necessary orders within a period of two weeks from the date of receipt of copy of this order.

(DAYA CHAUDHARY)
JUDGE

September 09, 2015
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