IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No. 1653 of 2015
Date of decision:-30.11.2015

Dilbagh Singh

.....Petitioner

Versus

State of Haryana 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. Ashok Giri, Advocate,for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

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DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Articles 226/227 of the Constitution of India for grant of emergency parole to the petitioner under Section 3 (1) (b) of the Punjab Good conduct Prisoners (Temporary Release) Act, 1962 to attend the marriage of his daughter namely, Kiran, which is scheduled on 06.12.2015

Notice of motion was issued in the case on 19.11.2015. Learned State counsel has filed reply by way of an affidavit of Deputy Superintendent of Police, Hisar and has affirmed the factum of marriage of the daughter of the petitioner, which is to be solemnized on 06.12.2015. It has also been mentioned in the affidavit that it has been verified from the Sarpanch of the village that the marriage is to be solemnized on 06.12.2015 and except the petitioner, there is no other person in the family to make arrangements for the marriage.

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Heard arguments of learned counsel for the petitioner and have also perused the affidavit filed by learned State counsel.

Admittedly, marriage of the daughter of the petitioner is to be solemnized on 06.12.2015 and being father his presence is required to perform certain ceremonies at the time of marriage. Copy of the marriage card showing program of the marriage has also been annexed with the petition. The petitioner has undergone actual custody of more than 3 years and including remission, it comes to more than 3 years and 4 months and no other case of NDPS Act is pending against him.

In view of the submissions made by learned counsel for the petitioner and the fact that being the father and head of the family, his presence is necessary on the occasion of marriage of his daughter, not only for performing certain ceremonies but also for making arrangements, the petition is allowed. The petitioner is allowed parole for a period of two weeks from the date of his release. The petitioner is directed to surrender before the jail authorities on expiry of period of two weeks. The Superintendent, District Jail, Jind is directed to release the petitioner on parole for a period of two weeks to his satisfaction.

Copy of the order be given to learned counsel for the petitioner under signatures of the Special Secretary.

(DAYA CHAUDHARY)
JUDGE

30.11.2015
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