

Criminal Writ Petition No. 1565 of 2016 (O&M)

Date of decision : December 09, 2016

Lakhwinder Singh

.....Petitioner

Versus

State of Punjab and another

....Respondents

**CORAM:- HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MRS. JUSTICE LISA GILL**Present: Ms. Bhupinder Pal Kaur Brar, Advocate
for the petitioners.

Ms. Munisha Gandhi, Additional AG, Punjab.

S.S. SARON, J.

Learned counsel for the State has filed affidavit of Sh. Harbinder Singh, PPS, Deputy Superintendent of Police, Attari, District Amritsar (Rural). The affidavit is taken on record.

Heard learned counsel for the parties.

The petitioner has been convicted by the learned Judge, Special Court, Amritsar in case FIR No. 22 dated 29.08.2011 registered at Police Station State Special Operation Cell, Amritsar for the offences punishable under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' – for short). The learned Judge, Special Court, Amritsar has sentenced the petitioner on 01.08.2014 to undergo rigorous imprisonment for 15 years. Against his conviction and sentence, the petitioner has filed CRA-D-1533-DB of 2014, which is pending in this Court.

By way of the present petition, the petitioner seeks six

weeks' parole to perform the wedding ceremony of his son, which is fixed for 12.12.2016. Copy of the application (Annexure P-1) addressed to the Superintendent, Central Jail, Amritsar; copy of the Panchayatnama (Annexure P-2) and the wedding cards (Annexures P-3 and P-4) have been placed on record. According to these documents, the marriage of the son of the petitioner namely Harpreet Singh is to be solemnised.

In terms of the affidavit that has been filed today, it is stated that the marriage of Harpreet Singh is to be solemnised, however, he is son of Swinder Singh i.e. son of the brother of the petitioner and not of the petitioner himself.

Learned Additional Advocate General, Punjab appearing for the respondents submits that there is a misrepresentation on the part of the petitioner by showing that his son is to get married and the chances of his absconding cannot, therefore, be ruled out.

In view of the said position, learned counsel for the petitioner submits that she filed the petition on the basis of instructions that had been given and in view of the affidavit of Sh. Harbinder Singh, PPS, Deputy Superintendent of Police, Attari, District Amritsar (Rural), she may be allowed to withdraw the petition.

The petition is, accordingly, dismissed as withdrawn.

(S.S. Saron)
Judge

(Lisa Gill)
Judge

December 09, 2016
Rts

Whether speaking/reasoned : Yes
Whether reportable : No