

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

Criminal Writ Petition 236 of 2016
Date of Decision : February 29, 2016

Barjinder Kumar	VERSUS	Petitioner.
State of Punjab		Respondent

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mr. Harish Goyal, Advocate
for the petitioner.

Dr. Deipa Singh, Addl. AG, Punjab.

T.P.S. MANN, J. (Oral)

The petitioner has filed the present writ petition under Article 226 of the Constitution of India read with Section 3 of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 for releasing him on parole for a period of six weeks on account of marriage of his son to be solemnized on 5.3.2016.

The petitioner stands convicted in FIR No. 70 dated 27.3.21999 under Sections 365/342/223/193/120-B/302 IPC and sentenced to undergo imprisonment for life vide judgment and order dated 14.1.2014 passed by the trial Court and appeal filed by him against his conviction and sentence stands admitted.

According to the petitioner, the marriage of his son

Piyush Sharma is to be solemnized on 5.3.2016 with Deepinder Sharma, daughter of Sh. Kuldeep Kumar Bhardwaj, resident of H.No. 669 Ward No. 4, Tange Wali Gali, Basti Gobindgarh, Moga. He approached the jail authorities for his release on parole by submitting representation dated 10.2.2016. His wife also sent similar representations to the Deputy Commissioner of Ludhiana as well as Deputy Commissioner of Bathinda, but no action has been taken on the same. According to the petitioner, there is no other person in his family who can make arrangements for the marriage of his son. Besides, his wife and the son, who is getting married, he has one unmarried daughter. His parents have already expired. He has no brother. Basically, it is the petitioner, who has to make necessary arrangements.

Reply has been filed by Sub-Inspector Mohinderjit Singh, Station House Officer, Police Station Thermal Plant, Bathinda, wherein, it stands mentioned that factum of petitioner's son Piyush Sharma getting married on 5.3.2016 stands duly verified. Separate reply has also been filed by the Deputy Superintendent of Police, Central Jail, Bathinda, wherein, it is mentioned that the petitioner lastly enjoyed four weeks' parole and, thereafter, returned to the jail on 21.1.2016. In order to be eligible for another parole, the petitioner has to wait at least for six months. As the petitioner has not completed a period

of six months after returning from parole, he is not eligible for release on parole, once again.

Having heard learned counsel for the parties and keeping in view of the fact that the petitioner's son Piyush Sharma is getting married on 5.3.2016 and there is none in his family who can make necessary arrangements for the aforementioned purpose, a case is made out for releasing the petitioner for a period of ten days.

Resultantly, the petition is allowed and the petitioner is ordered to be released on parole for ten days from the date of his actual release subject to his furnishing appropriate bail bonds to the satisfaction of the District Magistrate, Ludhiana.

**(T.P.S. MANN)
JUDGE**

February 29, 2016
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**(RAMENDRA JAIN)
JUDGE**