

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

Crl. Writ Petition 275 of 2016
Date of Decision : March 22, 2016

Narinder Sharma @ Bobby

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

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

Present : Mr. A.S.Trikha, Advocate
for the petitioner.

Dr. Deipa Singh, Addl. A.G., Punjab.

T.P.S. MANN, J.

The petitioner has filed the present petition under Article 226 of the Constitution of India for release on emergency parole as his wife Laxmi Devi is pregnant and her date of delivery is 3.4.2016.

The applicant stands convicted in FIR No. 1 dated 2.1.2012 under Sections 302/341/148/149 IPC and Section 25 of the Arms Act, Police Station Jalandhar Cantt. and sentenced to undergo imprisonment for life. Aggrieved of his conviction and sentence, he has filed the appeal which stands admitted.

According to the petitioner, his wife Laxmi Devi is pregnant and expected date of delivery is 3.4.2016. As the first delivery was by way of surgery, there are chances that the petitioner's wife would again require surgery while delivering the

second child. Prayer has, accordingly, been made for releasing the petitioner on parole.

Upon notice, learned State counsel has filed affidavit of Inspector Barjinder Singh, SHO, Police Station Cantt. Jalandhar wherein it stands mentioned that the petitioner's wife Laxmi Devi is pregnant. Further in their statements, Rajinder Kumar Raju, Councillor, Ward No. 4, Jalandhar and Smt. Kulwinder Kaur wife of Pritam Sharma, resident of House No. 49, Warehouse, Rama Mandi, Jalandhar Cantt. have stated that there is none to look after Laxmi Devi, who is pregnant. It has also been stated that the petitioner's brother Pritam Sharma and his wife Kulwinder Kaur are employed in Canteen of Rajan Hospital and whole of the day they remain in the hospital canteen.

Having heard learned counsel for the parties, this Court is of the considered view that the petitioner deserves to be released on parole for a period of two weeks so that he may look after his wife and provide necessary assistance at the time of delivery.

Resultantly, the petition is accepted. The petitioner is ordered to be released on parole for a period of two weeks from the date of his actual release subject to his furnishing bonds to the satisfaction of the District Magistrate, Jalandhar.

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

March 22, 2016
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**(RAMENDRA JAIN)
JUDGE**