

(244) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.480 of 2016
Date of decision: 12.4.2016

Sunil Kumar

Petitioner....

Versus

State of Punjab & Others

Respondents....

CORAM: HON'BLE MR. JUSTICE S.S. SARON.
HON'BLE MR. JUSTICE GURMIT RAM.

Present: Mr. S.S. Rana, Advocate for the petitioner.
Ms. Amarjeet Kaur Khurana, Addl. A.G., Punjab.

S.S. Saron, J.

The petition has been filed by Sonia who is the wife of petitioner Sunil Kumar for grant of two weeks emergency parole on the ground that the father of Sunil Kumar (petitioner) namely Brij Lal died suddenly on 5.4.2016. His last rites and customs at the time of 'bhog' and Antim Ardas ceremony are to be performed on 17.4.2016. The presence of the petitioner, it is submitted, is necessary for the last rites of his father.

Notice of motion was issued on 8.4.2016.

Learned State Counsel has submitted that the petitioner has been convicted in case FIR No.71 dated 4.4.2014 registered at Police Station Sadar Dhuri, District Sangrur for the offence under Section 15 NDPS Act. Besides, he is an under trial in case FIR No.257 dated 20.8.2008 registered at Police Station Basti Jhodewal, Ludhiana for the offence under Section 15 NDPS Act in which he had also remained a P.O. Therefore, according to the learned State Counsel, a

convict repeating the offence punishable under Section 15 of the NDPS Act and also remaining a P.O., is also not entitled for emergency parole.

We have given our thoughtful considerations to the matter. It is to be noticed that the last rites of the father of Sunil Kumar (petitioner) are to be performed on 17.4.2016. Sunil Kumar (petitioner) is the son of deceased Brij Lal. Therefore, his presence at the bhog and Antim Ardas ceremony would be necessary.

In the circumstances, the Crl. Writ petition is disposed of with the direction to respondent No.3 – Superintendent, District Jail, Sangrur to send the petitioner in police custody for the bhog and Antim Ardas ceremony of his father namely Brij Lal that is to be performed on 17.4.2016 and after the ceremony bring him back to the jail.

(S.S. Saron)
Judge

(Gurmit Ram)
Judge

12.4.2016
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