

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

CRWP 94 of 2016

Date of Decision: January 25, 2016

Palwinder Singh @ Babba

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE JUSTICE DR. SHEKHER DHAWAN**

Present: Mr. Nandan Jindal, Advocate

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

T.P.S.MANN. J.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India read with Section 3(1)(b) and (d) of the Punjab Good Conduct Prisoners (Temporary Release), Act, 1988 with a prayer that the respondents be directed to release him on parole to enable him to arrange and attend the marriage of his sister Rajwinder Kaur, scheduled to be held on 25.01.2016.

The petitioner stood convicted under Sections 459, 460, 302, 380 and 457 IPC and sentenced to undergo

imprisonment for life vide judgment and order dated 8/9.12.2014 passed by learned Additional Sessions Judge (Exclusive Court), Amritsar and presently confined in Central Jail, Amritsar and undergoing the sentence of imprisonment imposed upon him.

According to the petitioner, marriage of his sister Rajwinder Kaur is to be solemnized on 25.01.2016. His father Santokh Singh had expired way back on 15.07.2005. Only the petitioner could make arrangements for the marriage function and, therefore, his presence at the relevant time is mostly essential. It is also pleaded that his mother submitted an application before the jail authorities for releasing him on parole so that he may make necessary arrangements for the marriage function but the application was not even entertained.

The petition had come up for preliminary hearing on 22.01.2016, when after hearing learned counsel for the petitioner, notice of motion was issued to Advocate General, Punjab for today. Pursuant to the same, learned Additional Advocate General, Punjab has put in appearance.

Marriage of the petitioner's sister is to be solemnized today itself. The petitioner ought to have filed the petition well in time so that the Court may seek the necessary verification of the factum of marriage of his sister from the State. However, the petition came to be filed only on 19.01.2016 and on removing the objection raised by the Registry, re-filed on 20.01.2016. The

petition came to be listed for preliminary hearing on 22.01.2016, when notice was issued for today.

As the purpose for which the petitioner had sought his release on parole cannot be achieved in such a short time and the marriage is to be solemnized today itself, the present petition has been rendered infructuous and, accordingly disposed of.

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

Janurary 25, 2016
amit rana

**(SHEKHER DHAWAN)
JUDGE**