

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

CRM No.M-16954 of 2017 (O&M)

Date of decision: May 16, 2017

Jagwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Khiva, Advocate,
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

Mr. Abnash Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner-Jagwinder Singh has filed this petition under Section 482 of Code of Criminal Procedure for issuance of a direction to respondent No.3 to take the petitioner to the examination centre while in custody, so as to enable him to appear in the B.A. exams scheduled to be commenced from 08.05.2017.

Notice of motion was issued in this case.

Mr. V.P.S.Sidhu, Asstt. Advocate General, Punjab, has put in appearance on behalf of the respondent-State and Mr. Abnash Singh, Advocate has appeared and filed vakalatnama on behalf of the complainant. Same is taken on record. Both of them contested this application.

Learned counsel for the petitioner contends that the petitioner has to appear in the exam on 19.05.2017, 01.06.2017 and 08.06.2017, as per

Schedule annexed with the instant petition. He further points out that the

co-ordinate Bench of this Hon'ble Court vide order dated 12.05.2017, has allowed the petitioner to appear in the exam on 15.05.2017, in police custody. Learned counsel for the petitioner further contends that no other case is pending against the petitioner and keeping in view the future prospects of the petitioner, he may be allowed to appear in the exams as per schedule annexed with the petition.

Keeping in view the facts and circumstances of the case and in view of the fact that the petitioner has already been allowed to appear in the exam held on 15.05.2017, by co-ordinate Bench of this Court, therefore, the instant petition is allowed and respondent No.3-Superintendent, Central Jail, Nabha, is directed to take the petitioner to the examination centre under police protection as per timing schedule issued by the university on 19.05.2017, 01.06.2017 and 08.06.2017 and lodge him back immediately after the examination is over. The necessary expenses of transportation shall be borne by the petitioner.

This petition is allowed accordingly.

May 16, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No