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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-18038 of 2016 (O/M)
Date of decision : 14.7.2017

Nirwair Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Birinder Singh Khehar (Amicus-Curiae), Advocate,
for the petitioner.

Mr. C.L. Pawar, Senior Deputy Advocate General, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

An application filed by Nirwair Singh before the Administrative Judge, Sessions Division, Gurdaspur, at the time of inspection, was converted into present petition. The prayer of the petitioner is that he is undergoing life imprisonment and is confined in Central Jail, Gurdaspur. He should be transferred to Central Jail Ferozepur, as his parents have died and he has small children and they cannot come to have a meeting with him in Gurdaspur from a far place.

The reply of State shows that the petitioner has been convicted by the learned Sessions Judge, Karnal, on 6.1.2007 and is undergoing life imprisonment. He was previously transferred to Central Jail Ferozepur. However, a minor case of crime under Section 52-A of the Prisons Act, registered at Police Station City Gurdaspur, is pending trial at Gurdaspur Court, on the basis of FIR No. 186 dated 26.10.2013. It was for this reason

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that the Additional Director General of Police (Prisons), Punjab, Chandigarh, vide order dated 8.3.2013, transferred the petitioner from Central Jail, Ferozepur, to Central Jail, Gurdaspur.

After hearing the learned amicus curiae and the learned State counsel, I am of the view that a minor case under Section 52-A of Prisons Act is pending since year 2013 at Gurdaspur Court.

In these circumstances, the petition is disposed of in the manner that the trial Court, where the said case is pending, is directed to dispose of the said case, which has become old, within two months from the date of receipt of certified copy of this order. After two months, the petitioner shall be shifted back to Central Jail, Ferozepur.

(KULDIP SINGH)
JUDGE

14.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No