

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

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Criminal Writ Petition No.129 of 2017
Date of Decision: February 8th, 2017

Surjit Kumar alias Sudesh Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Pawan Kumar Hooda, Advocate
for the petitioner.

Ms. Manjri Nehru Kaul, Additional Advocate General, Punjab.

M. JEYAPPAUL, J. (ORAL)

Reply filed. Same is taken on record.

Petitioner-Surjit Kumar alias Sudesh Kumar has sought parole to enable him to arrange and attend the marriage of his sister-Mamta which was originally scheduled to be solemnized on 06.02.2017 but is now proposed to be performed on 12.02.2017.

We went through the reply filed by the State. On the basis of the inquiry, the respondents have stated in the reply that the marriage of the real sister of the writ petitioner is proposed to be solemnized on 12.02.2017.

We heard the submissions made on either side.

In paragraph 6 of the writ petition, it has been specifically averred that the authorities concerned, namely, Deputy Commissioner as well as SSP, Tarn Taran, had in fact recommended the petitioner's parole as early as on 15.11.2016, but on account of the elections that were to be held on 04.02.2017, he was not released on parole.

At any rate, considering the quantum of sentence, namely, 20 years of rigorous imprisonment imposed on the petitioner, we are disinclined to release the petitioner on parole as sought for. But as it has

been demonstrated that the presence of the writ petitioner during the marriage ceremony of his sister is essential inasmuch as his parents had already expired, we have proposed to send the petitioner-convict, in custody, to perform the marriage of his sister on 12.02.2017.

In the light of the above, we direct the Superintendent/Officiating Superintendent, Central Jail, Amritsar, to make arrangement for taking the writ petitioner in police custody to the venue of marriage of his sister at 8:30 AM on 12.02.2017 and bring him back to jail at 5:00 PM on the same day.

Writ petition stands disposed of accordingly.

(M. JEYAPPAUL)
JUDGE

February 8th, 2017
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No