

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

CRWP No.143 of 2017
Decided on: 06.02.2017

Siranjit Kaur

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present: Mr. Rajeev Sharma, Advocate for
Mr. Ajay Arora, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

Present petition under Article 226 of the Constitution of India has been filed by petitioner Simranjit Kaur for issuing directions to respondent No.2 to facilitate the release of her brother Swaranjeet Singh, who is convict in FIR No.164 dated 02.08.2006, registered under Sections 302 and 323 IPC at Police Station Sadar, Dabwali, to attend the last rites of his father Gurdev Singh.

In the forenoon session, notice of motion was issued with a direction to learned State counsel to verify if there is any apprehension of breach of peace or threat to the life and liberty of the convict, in case the present petition is allowed and convict Swaranjeet Singh is allowed to participate in last rites of his father.

Learned State counsel, on telephonic instructions from Mr. Amit, Jail Superintendent, District Jail, Sirsa, has submitted that concerned official has stated that the father of convict, namely, Gurdev Singh died on 28.01.2017 and his *Bhog* ceremony is slated on 07.02.2017. There is no apprehension of breach of peace in case the convict is allowed to attend the last rites of his father.

There is similar report (Annexure P-2) of Gram Panchayat of Village Chautala containing that there was no apprehension of breach of peace in the village in case the convict is allowed to participate in the last rites of his father.

Accordingly, convict-Swaranjeet Singh shall be taken to the venue of the last rights of his father on 07.02.2017, under police protection and be again lodged in Jail by 4 O'clock in the evening on the same day. The Superintendent of Police, Sirsa shall make the necessary arrangements for the compliance of this order.

Petition stands disposed of, accordingly.

06.02.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No