

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

CRWP No. 268 of 2017 (O&M)
Date of decision: 21.03.2017.

Jassa Singh alias Jassa Petitioner.

Versus

State of Punjab and others Respondents.

CORAM: HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Gursimran Singh Bhatia, Advocate, for the petitioner.

Ms. Ritu Punj, Additional Advocate General, Punjab,
for the respondents.

S.S. SARON, J.

Learned counsel for the State has filed an affidavit of Mr. Ashish Kapoor, Superintendent, Central Jail, Amritsar, on behalf of the State. The affidavit is taken on record.

Heard learned counsel for the parties.

The petitioner has filed the present petition under Articles 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for directing the respondents to release him on emergency parole for a period of four weeks as the marriage of his daughter, namely, Narinder Kaur, is to be solemnized on 26.03.2017. It is stated that the petitioner has to make arrangement for the same.

The petitioner has been convicted by the learned Judge, Special Court, Amritsar, on 03.11.2014 in case FIR No.17 dated 25.10.2012 registered at Police Station State Special Operation Cell, Amritsar, for the offences under Sections 21 and 25 of the Narcotic and Psychotropic Substances Act, 1985; besides, Section 489-C of the Indian Penal Code.

The petitioner, in view of the marriage of his daughter which is to be solemnized on 26.03.2017, filed an application for his temporary release on parole. The application of the petitioner was forwarded by the Superintendent, Central Jail, Amritsar to the District Magistrate, Amritsar vide letter No. 1504 dated 14.02.2017. The District Magistrate, Amritsar informed the Superintendent, Central Jail, Amritsar vide letter dated 16.03.2017 that the petitioner is undergoing sentence of twelve years' imprisonment and has been ordered to pay a fine of Rs.2,10,000/-. It is mentioned that he was apprehended with 5 Kgs of heroin and counterfeit currency amounting to Rs.2,25,000/-, which was recovered from him.

The fact regarding marriage of the daughter of the petitioner was verified. However, it is stated that there is threat to the State security and maintenance of public order if the petitioner was released on parole. In any case, the local police, it is stated, has no objection if the petitioner attends the marriage of his daughter in police custody during day time on 25.03.2017 and 26.03.2017.

In the circumstances, the writ petition is disposed of and the petitioner shall be allowed to attend the marriage of his daughter in police custody during day time on 25.03.2017 and 26.03.2017.

(S.S. SARON)
JUDGE

(DARSHAN SINGH)
JUDGE

21.03.2017

Ramesh

Note:

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| 1. | Whether reasoned/speaking | : | Yes |
| 2. | Whether reportable | : | No |