

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

CRWP 801 of 2017

Date of Decision: July 17, 2017

Ranbir Singh @ Bira

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE T.P.S.MANN

HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Ms. Bhupinder Pal Kaur Brar, Advocate
for the petitioner.

T.P.S.MANN, J.

The petitioner has filed the present petition under Article 226 of the Constitution of India for issuance of directions to the respondents to initiate his parole case afresh so as to enable him to meet his family members and to settle household affairs.

The petitioner stands convicted in case FIR No. 224 dated 30.10.2005 under Sections 302/120-B/34 IPC and Section 25 of the Arms Act registered at Police Station Mukerian, District Hoshiarpur and was convicted and sentenced to undergo imprisonment for life vide judgment dated 30.3.2016 passed by Sessions Judge, Hoshiarpur. His conviction and sentence stands challenged by him by filing an appeal before this Court, which is pending adjudication.

According to the petitioner, he is in custody for the last

eight years and in terms of the provisions of Section 3(1)(d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, he is entitled to be released on parole for six weeks for the purpose of meeting his family members. The parole case of the petitioner was initiated by the jail authorities vide office letter No. 7339 dated 21.11.2016, but it was rejected on the ground that he stood involved in six other cases. Besides, there was apprehension of breach of peace. The petitioner approached this Court by filing CRWP 133 of 2017 for setting-aside the order rejecting his parole case, which was dismissed by this Court on 31.5.2017. The petitioner has again approached the jail authorities for six weeks' parole to meet his family members and to settle the household affairs. For the said purpose, he submitted an application on 30.6.2007 alongwith the Panchayatnama (Annexure P-1) but till date no action has been taken upon the same.

After hearing learned counsel for the petitioner and on going through the writ petition, this Court finds that the petitioner had earlier sought six weeks' parole to enable him to meet his family members, which prayer of his was declined by the District Magistrate on 14.12.2016. Aggrieved of the same, the petitioner preferred CRWP 133 of 2017, which came to be dismissed by a co-ordinate Bench of this Court on 31.5.2017 on the ground that

he stood involved in six other cases. In five of them, he was acquitted as prosecution witnesses turned hostile and did not support the prosecution version. In the sixth, he was convicted by the Judicial Magistrate 1st Class, Samrala.

In the present petition, the petitioner is seeking his release on parole for six weeks to meet his family members. However, this time he has added one more ground, i.e. to settle household affairs so that he may be granted benefit of parole. Once, this Court has already dismissed his writ petition for challenging the order passed by the District Magistrate on the earlier application practically for the same relief and remained unsuccessful, no case is made out for issuance of any directions to the respondents to initiate his parole case afresh.

The petition, being devoid of any merit is, therefore, dismissed.

**(T.P.S. MANN)
JUDGE**

July 17, 2017
amit rana

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No