

**203 CRM-W Nos.1 and 2 of 2018 in CRWP-934-2017**

**RAJIV @ RAJA VS STATE OF PUNJAB AND ORS**

**Present:-** Mr. Anmol Rattan Sidhu, Sr. Advocate with  
Mr. Nandan Jindal, Advocate for the applicant-petitioner.  
Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

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**CRM-W-1-2018**

Application is allowed as prayed for.

**CRM-W-2-2018**

Heard.

The State has filed the report. The same is taken on record. Pending the disposal of the main petition for releasing the petitioner-convict on regular parole, the present application has been filed under Section 482 Cr.P.C. for releasing the petitioner on emergency parole for 14 days as his mother has expired on 31.12.2017. Her dead body is stated to be lying in mortuary. The petitioner is the elder son and he has to perform last rites and ceremonies. The report of the State was called for.

The State in its report has disclosed that Tripta Devi, mother of the petitioner, who was in custody in case FIR No.133, dated 12.05.2006, under Sections 302, 364, 380, 381, 404 read with Section 34 IPC, registered at Police Station Division No.5, Ludhiana and was undergoing life imprisonment in Central Jail, Kapurthala, expired during treatment in Govt. Medical College, Amritsar. Her dead body is lying in the Civil Hospital, Ludhiana.

The State has opposed the prayer of the petitioner for releasing him on emergency parole. The State has also enclosed the list of 19 cases, which are registered against the petitioner pertaining to attempt to murder, murder, dacoity, robbery etc. It is further disclosed that in one of the case, the petitioner had escaped from the police custody.

Considering that a large number of cases are pending against the petitioner and the fact that he had earlier escaped from police custody in one case as well as the fact that he has to perform last rites and ceremonies of her deceased mother, the present application is allowed only to the extent that the State is directed to take the petitioner to his native place in tight police custody, where the last rites and ceremonies of her deceased mother Tripta Devi are to be performed, to enable him to perform the last rites and ceremonies of her mother. Thereafter, he will be brought back to the jail.

The petitioner is to inform the jail authorities as and when the cremation of her mother is to take place well in time.

Disposed of.

The copy of this order be given to the learned counsel for the parties under signature of the Bench Secretary.

**(KULDIP SINGH)**  
**JUDGE**

**January 03, 2018**  
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