

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

CRWP-1327-2017 (O&M)
Date of decision:- 3.8.2018.

Sunil Kumar @ Seera

.....Petitioner.

Versus

State of Punjab and others

....Respondents.

**CORAM: - HON'BLE MR. JUSTICE A.B.CHAUDHARI
HON'BLE MR. JUSTICE KULDIP SINGH**

Present: - Mr. Gaurav Dhir, Advocate for
Mr. Sanjeev Manhas, Advocate for the petitioner.

Ms. Anju Arora, Addl. AG, Punjab.

....

A.B.Chaudhari, J.

Heard, learned counsel for the rival parties.

This is a petition filed under Article 226 of the Constitution of India read with Section 3(i) (d) of the Punjab Good Conduct Prisoner (Temporary Release) Act 1962 for grant of six weeks parole to meet the family members by quashing/set aside the impugned orders Annexure P-3 dated 17.4.2017 and 24.4.2017 vide which respondent No. 2 has declined to grant six weeks parole to the petitioner.

Petitioner was convicted for the commission of offence of murder and sentenced to undergo rigorous imprisonment for life vide order dated 10.5.2016, passed by learned Additional Sessions Judge, Ludhiana. Present petition has been filed seeking parole to meet the family members.

After arguing for some time, learned counsel for the petitioner wishes to withdraw the present petition. However, we decline the said prayer.

An affidavit dated 3.8.2018 has been filed by Assistant Commissioner of Police (East), Ludhiana, after several adjournments. Perusal of the affidavit shows that statement of the father of the petitioner namely Shiv Narayan son of Kishan Lal aged 66 years was recorded and his statement is extracted below:-

“Stated that I am resident of the aforesaid address. I make tea on the road side on Bajra Road. I live in Ekta Colony. My son Sunil Kumar @ Seera is undergoing life imprisonment in case No. 229 dated 15.12.2013 under Section 302, 406 IPC P.S. Sadar Khanna at Central Jail, Ludhiana, who wants to come on leave. But with regard to his coming, I cannot give responsibility of any other person since we are residents of Nepal, which is adjoining India, where we often keep on going and coming. I have got written my statement, heard and found it to be correct.”

Since, father of the petitioner has clearly stated that he cannot take responsibility of petitioner and that they often to go to Nepal, we cannot take the risk of releasing him on parole. The petitioner may apply for fixed date of hearing which can be granted.

Dismissed.

(A.B.CHAUDHARI)
JUDGE

(KULDIP SINGH)
JUDGE

3.8.2018
preeti

whether speaking/reasoned
whether reportable

yes/no
yes/no