

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

CRWP No.1525 of 2017
DATE OF DECISION : 12TH JANUARY, 2018

Paramjit Singh Bheora

.... Petitioner

Versus

State through CBI, Chandigarh & others

.... Respondents

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

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Present : Mr. Simranjit Singh, Advocate for the petitioner.

Mr. Gautam Dutt, APP for U.T., Chandigarh.

Mr. R. K. Handa, Advocate
as Special Counsel for the CBI.

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A. B. CHAUDHARI, J. (ORAL)

Rule.

Heard forthwith.

Service for respondents No.2 and 3 is waived by standing counsel for U.T. Chandigarh and Special Counsel for the CBI.

The petitioner-Paramjit Singh Bheora was convicted by the trial Court for offences punishable under Sections 302, 307 read with Section 120-B IPC and under Section 3 and 4 of the Explosive Substances Act and was sentenced to undergo imprisonment for life. By the present petition the petitioner seeks his release from jail for a few hours to see his ailing old age mother Pritam Kaur (name provided by learned counsel for the petitioner) aged about 93 years and to have conversation with her.

We have seen the entire petition as well as the photograph of the mother of the petitioner. She is an old respectable lady and must be having a desire to see her son and to have conversation with him as well. Learned counsel for the parties are *ad idem* that the trial in respect of the petitioner was held in the jail complex itself due to the nature of the trial and the case related to the murder of the then Chief Minister of Punjab.

The learned counsel for the respondents have, however, opposed the prayer for release of the petitioner from jail even for two hours as according to them at one point of time during the trial the petitioner along with two other accused persons had indulged in digging a tunnel from the jail and the two others accused had escaped from the jail. The counsel for the respondents, therefore, submitted that the respondents do not want to take any risk. But both of them have been agreed that the meeting between old ailing mother and the petitioner can take place in the jail itself.

We have considered the pros and cons of the entire matter carefully and consciously. We think we must balance the equity looking to the apprehension expressed by the respondents which cannot be said to be unreasonable or fanciful. At the same time the wish of his mother to see her son and to have conversation, must be satisfied.

In that view of the matter, we think that an order is required to be made, asking the authorities-respondents to make all necessary arrangement for taking Pritam Kaur mother of the petitioner to jail for arranging their meeting. It shall be the responsibility of respondents No.2 and 3 to also have a Doctor with the mother of the petitioner right from her residence till her return from the jail after completion of the

meeting and conversation with her son, looking to the old age and health of the mother of the petitioner. We, therefore, made the following order:

ORDER

- (i) CRWP No.1525 of 2017 is disposed of with directions to respondents No.2 and 3 to take Pritam Kaur mother of the petitioner from village Bhateri, Post Office Bhappal, Rajpura, District Patiala, to the jail where the petitioner is lodged.
- (ii) It shall be the responsibility of respondents No.2 and 3 to provide ambulance and Doctor throughout.
- (iii) The Superintendent, Model Jail, Chandigarh, shall allow the meeting of petitioner and his mother-Pritam Kaur for two hours in the first place and discretion is granted to him to extend the period of meeting for more than two hours but limited to another two hours only.
- (iv) The Director General of Police, Punjab is directed to give full cooperation to respondents No.2 and 3 for complying with this order as the residence of Pritam Kaur mother of the petitioner falls within the territorial jurisdiction of Punjab.

(A. B. CHAUDHARI)
JUDGE

12TH JANUARY, 2018
'raj'

(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>