

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 25799-2018 (O&M)
Date of decision: 21.11.2018

Gurtej Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Parminder Singh Sekhon, Advocate for the petitioner
Mr.Karanbir Singh, AAG Punjab

- 1. Whether Reporters of Local newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Petitioner seeks emergency parole under Section 3 of Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 to look after his pregnant wife till delivery. Petitioner has been convicted under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 and is undergoing RI for ten years.

Reply by way of affidavit of Sukhwinder Singh, PPS, Superintendent, Central Jail, Bathinda on behalf of respondent no.1, 2 & 4 filed in Court is taken on record.

State in the reply has taken a stand that wife of the petitioner has already delivered a male child on 22.10.2018 as reported by Medical Officer, CHC, Kalanwali, District Sirsa. State has further taken a stand that the petitioner can be released on parole for 84 days in a Calendar year and for the Calendar year 2018, he has already availed parole of 42 days each on

two occasions. Therefore, he cannot be released on parole in the present Calendar year.

Learned counsel for the petitioner has stated that after delivery, he need to look after his wife and see the child.

Considering the extra ordinary conditions, the petitioner is allowed emergency parole for seven days to see his newly born child and look after his wife. Thereafter, he will surrender before the Jail authorities at the Jail gate.

Parole will be subject to furnishing surety to the satisfaction of District Magistrate, Bathinda.

Petition stands allowed accordingly.

21.11.2018
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No