

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

CWP No.4640 of 2018
DATE OF DECISION:01.03.2018

Paramjit Kaur @ Rani

...Petitioner

Vs.

State of Punjab & others

..Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Ms. Ambika Sood, DAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

The petitioner has approached this Court by way of filing the present petition for release of the petitioner on emergency parole for a period of four weeks to attend the marriage of her daughter which is to be held on 04/05.03.2018.

Petitioner is convict in case FIR No.36 dated 26.03.2014, under Sections 21/29/61/85 NDPS Act registered at Police Station Sadar Banga, District SBS Nagar. She was convicted and sentenced to undergo RI for 10 years vide judgment dated 31.01.2017 passed by trial Court. Petitioner has also filed Criminal Appeal No.1264-SB of 2017 challenging the judgment/order of sentence passed by learned trial Court.

Learned counsel for the petitioner submits that the presence of the petitioner is required for making arrangement of the marriage of her daughter and to perform certain ceremonies. A request was made to

respondent No.3 i.e the Superintendent Women Jail, Distict Ludhiana and copy of the marriage card was also annexed but no action was taken. Learned counsel for the petitioner also submits that the petitioner undertakes to surrender immediately after expiry of period of parole in case the same is granted to her. Learned counsel further submits that the petitioner be allowed to attend the marriage in police custody. Copy of the wedding card is also annexed with the petition.

In response to notice issued to learned State counsel, a verification report by way of affidavit of Deputy Superintendent of Police(Investigation) Cum-Incharge Sub Division, Chabewal, District Hoshiarpur has been filed. The factum of marriage has been verified from the statement of one Sucha Singh Ex-Sarpanch of the village of the petitioner. The statement of husband of the petitioner Sohan Lal and Sucha Singh, Ex-Sarpanch are also annexed with the reply. The statement of the family members of the boy with whom the daughter is to be married are also on record which proves that the marriage is to be solemnized on 05.03.2018.

Custody certificate has also been filed by learned State Counsel in the Court today and the same is taken on record, a perusal of which shows that one more case under NDPS Act is also registered against the petitioner. Petitioner has undergone custody of one year, six months and sixteen days in case FIR No. 36 dated 26.03.2014, under Sections 21/29/61/85 NDPS Act and nine months and twenty eight days in FIR No.15 dated 07.02.2015 under Section 21/61/85 NDPS Act, Police Station

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Chabbewal.

Heard arguments of learned counsel for the parties and have also perused the documents available on the file.

By considering the submission made by learned counsel for the petitioner; that the marriage which is to be solemnized on 4/5.03.2018 and in view of provisions of Section 3(1) (b) of the Punjab Good Conduct Prisoners Act, 1962, the petitioner is allowed to attend the marriage of her daughter in police custody for a period of three days w.e.f. 03.03.2018 to 05.03.2018. Petitioner is directed to surrender immediately after expiry of three days.

Superintendent Women Jail, District Ludhiana is directed to make necessary arrangement for taking the petitioner in police custody to attend the marriage.

The petition stands disposed of.

Copy of the order be given under signatures of Bench Secretary of the Court.

01.03.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

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