

CWP No.9468 of 2018

[1]

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

CWP No.9468 of 2018
Date of decision: April 20, 2018

Bikramjit Singh @ Vicky ...Petitioner

Versus

State of Punjab and another ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Salil Dev Singh Bali, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

The petitioner has prayed for the issuance of a writ in the nature of *mandamus* for seeking a direction to the respondents to grant 15 days' parole to the petitioner to attend the marriage of his younger brother, namely, Raghbir Singh, which is to be solemnized on 21/22.04.2018.

The petitioner has been convicted and sentenced for a period of 12 years in a case registered vide FIR No.62 dated 01.04.2012, under Sections 21, 29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar, Ferozepur. The petitioner's appeal bearing CRA-D-1060-DB-2014 is pending in this Court after admission and the fine imposed upon the petitioner of ₹1 lac has been stayed. The petitioner had already availed the parole w.e.f. 08.01.2018 to 20.02.2018 for 42 days. However, at that time, the marriage of his younger brother Raghbir Singh was not fixed. The petitioner has, thus, approached this Court after moving an application to the Superintendent of Jail, Ferozepur for parole, which has been

rejected vide order dated 04.04.2018 on the ground that since he has already availed parole for 42 days, therefore, now he can avail the parole only on the start of another six months.

Counsel for the petitioner has relied upon a Division Bench judgment in this regard rendered in the case of **Suresh Kumar alias Tidda vs. State of Punjab and others**, CRWP No.2714 of 2011, decided on 13.12.2011, in which similar issue was involved.

Thus, while relying upon the decision of this Court in **Suresh Kumar alias Tidda's case (supra)**, the present petition is hereby allowed, impugned order dated 04.04.2018 is set aside the petitioner is ordered to be released immediately on 15 days' parole to attend the marriage of his younger brother, which is scheduled to be solemnized on 21/22.04.2018, on his furnishing surety bonds to the satisfaction of the District Magistrate, Ferozepur. It is made clear that the petitioner shall surrender to the Jail Authorities on the date and time prescribed in the order of parole.

Order dasti.

April 20, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned	:	Yes/No
Whether reportable	:	Yes/No