

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5261-2019(O&M)

Date of decision: 27.02.2019

Harjinder Singh @ Bobby .. Petitioner

vs.

State of Punjab and anr. .. Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Himmat Singh Deol, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab

Harinder Singh Sidhu, J.

This petition has been filed seeking extension of parole.

The petitioner is undergoing life imprisonment in a case under Section 302 read with Section 34 IPC. He was granted parole for a period of 42 days w.e.f. 16.01.2019 to 27.02.2019 in order to enable him to attend the marriage of his daughter namely Kirandeep Kaur.

It is stated that the marriage ceremony was performed on 08.02.2019 with one Manvir Singh Gill son of Jasvir Singh Gill. The said Manvir Singh Gill is residing in Canada.

It is stated that the presence of the petitioner is required for registration of his daughter's marriage before the Sub Registrar. The petitioner may also be required to visit the Embassy at Delhi.

The petitioner has moved representation to the Superintendent Jail, Ludhiana on 20.02.2019 seeking extension of parole. However, no order thereon has been passed.

Notice of motion.

Mr. Karanbir Singh, AAG, Punjab, who is present in the Court, accepts notice.

Considering the fact that the parole period of the petitioner is

expiring today, no formal reply is called for by the respondent-State.

The petitioner has referred to the Punjab Good Conduct Prisoners (Temporary Release) Amendment Act, 2018 (in short 'the Act, 2018'), as per which the amendment has been effected in Clause (b) of sub-section 2 of Section 3, whereby, for the words 'six weeks' the words 'eight weeks' have been substituted.

Sub-section 2 of Section 3 of the Punjab Good Conduct Prisons (Temporary Release) Act, 1962 specifies the period for which the prisoners may be released for different purposes. Clause(b) thereof specifies the period in cases where a prisoner is to be released on the grounds specified in clause (aa) or clause (b) or clause (c) or clause (d) of sub-section (1) of Section 3. The petitioner has been released on parole in order to perform the marriage of his daughter which is covered by clause (b) of sub section (1) of Section 3. As per the amendment he is now entitled to be released on parole for eight weeks instead of six weeks earlier.

In view of the aforesaid, the present petition is allowed. Parole period of the petitioner is extended from 27.02.2019 to 13.03.2019. He shall surrender before the Jail Authorities on expiry of extended period.

A copy of this order be supplied to learned counsel for the petitioner under the signatures of the Bench Secretary.

(Harinder Singh Sidhu)
Judge

27.02.2019
dinesh/gian

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No