

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7887 of 2019(O&M)
Date of Decision:16.10.2019

Bikramjit Singh @ Vicky

... Petitioner

Versus

The State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vishal Khatri, Advocate,
for the petitioner.

Ms. Simran Grewal, AAG, Punjab.

RAJIV NARAIN RAINA, J.(Oral)

C.M.10609 of 2019

C.M. application is allowed. Amended petition is taken on record.

Main Case.

1. Through this petition, the petitioner has prayed for temporary release on the ground to meet his family members. Request of the petitioner has been rejected by respondent No.3 vide order dated 05.02.2019 (P-2).
2. The petitioner was convicted and sentenced to undergo rigorous imprisonment for life under Sections 302,419,420,466,467,468,471,148, 120-B & 34 IPC and Section 25 of the Arms Act in case FIR No.178 dated 30.06.2015 registered at Police Station, Sultanwind, Amritsar City. Criminal appeal filed by the petitioner against his conviction is pending in this Court.
3. It is argued by learned counsel for the petitioner that the petitioner has a daughter and his mother remains ill. He has already undergone about 4 years and thus needs to socialize with his family. The conduct of the petitioner is good in jail.

this is not a case in which parole should be denied to the petitioner for to meet his family members. The only ground taken is that if the petitioner is released on parole, there is apprehension of breach of peace in the village. To allay the apprehension, adequate conditions can be imposed on him and his conduct can be kept under watch in case parole is granted. State in its reply does not say that there is apprehension that petitioner will abscond. It also states that there is no threat to the security of the State. It has not been reported that the conduct of the petitioner in jail is not satisfactory and his reports in the jail are not good. My view is that the benefit of temporary release by way of parole is admissible.

5. In view thereof, the petition is allowed and the impugned order dated 05.02.2019 (P-2) is set aside. Petitioner is ordered to be released on parole for six weeks from the date of release to the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as may be required in the Jail Manual toward the ends of securing the presence of the petitioner in jail after the period of parole is over and done with and the temporary release is not misused.

6. Petition stands allowed accordingly.

(RAJIV NARAIN RAINA)
JUDGE

16.10.2019
monika

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