

CWP-7934-2019

[1]

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

**CWP No.7934 of 2019 (O&M)
Date of decision: April 01, 2019**

Kuljeet Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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

Mr. Karanbir Singh, AAG, Punjab.

HARINDER SINGH SIDHU, J.

This petition has been filed praying for directions to the respondents to release the petitioner on parole.

The petitioner is undergoing rigorous imprisonment for twelve years in case FIR No.86 dated 19.7.2013 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Mehatpur, District Jalandhar after his conviction by the Court.

The petitioner submitted an application to the respondents for grant of parole to attend the marriage of his sister, namely Gurmeet Kaur, which is scheduled for 5.4.2019. The marriage card was also annexed with the application. It is stated that the respondents did not entertain the said application citing the operation of the Election Code of Conduct. Hence, this petition.

Learned counsel for the petitioner contended that the marriage of the sister of the petitioner has been fixed for 5.4.2019. The presence of the petitioner

is essential at the time of marriage of his sister to perform certain rites and rituals, which are essential part of the marriage ceremony. A copy of the marriage invitation card is placed on record as Annexure P-1.

It is also stated that the Panchayat of Village Dharam Singh Dia Channa has issued a 'Panchayatnama' stating that no resident of the village would have any objection if the petitioner is granted parole. The said document is annexed as Annexure P-2.

Notice of motion was issued.

Mr.Karanbir Singh learned Assistant Advocate General, Punjab states that the fact of the marriage of sister of the petitioner having been fixed for 5.4.2019 has been got verified from members of the Panchayat of Village Dharam Singh Dia Chana. He has also placed on record the Panchayatnama duly certified by the ASI of Police Station Mehatpur, District Jalandhar in the connected CWP No.7940 of 2019.

In view of the aforesaid this petition is allowed.

The respondents are directed to release the petitioner for one week (w.e.f. 03.04.2019 to 10.04.2019) subject to his furnishing bond/ surety to the satisfaction of the District Magistrate/ Competent Authority. The petitioner shall surrender before the Jail authorities on the expiry of the parole period.

April 01, 2019

(HARINDER SINGH SIDHU)

JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No