

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

**CWP No.7940 of 2019 (O&M)
Date of decision: April 01, 2019**

Gurdeep 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 Trial Court.

It is the case of the petitioner that he submitted an application seeking parole to attend the marriage of his daughter, namely Gurmeet Kaur, which is scheduled for 5.4.2019. The marriage card was also annexed with the application. However 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 daughter of the petitioner has been fixed for 5.4.2019. The presence of the petitioner is essential at the time of marriage of his daughter 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 released on 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 daughter 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.

As per Section 3(1)(b) read with 3(2)(b) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, a prisoner, may be released temporarily for six weeks for the marriage of prisoner's son or daughter.

Accordingly, 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

gian

**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No