

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

CWP-1984-2018 (O&M)

Date of decision : 21.01.2019

Paramjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.S. Trikha, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Petitioner has impugned the order dated 11.8.2017 (Annexure P-1), passed by Deputy Commissioner, Kapurthala vide which application of the petitioner for parole of six weeks was declined.

Reply way of affidavit dated 10.1.2019 of Surinderpal Khanna, Superintendent Central Jail , Jalandhar at Kapurthala on behalf of respondent No.3 filed in Court today is taken on record.

It comes out that petitioner has been convicted and sentenced to undergo maximum sentence of 15 years in addition to fine in case FIR No. 202 dated 15.7.2014 under Sections 307/326-A/341 of the Indian Penal Code, registered at Police Station City Kapurthala vide judgment of conviction and order of sentence dated 22.11.2016, passed by learned Additional Sessions Judge, Kapurthala on the allegation of throwing acid on a woman victim namely Nita.

The Deputy Commissioner, Kapurthala vide its order dated 11.8.2017 declined the parole to the petitioner on the ground that complaint was received from the victim that the accused is threatening to kill her and he is also threatening the witnesses.

Learned counsel for the petitioner contends that petitioner is in custody and there is no other case pending against him. Therefore, he cannot threaten the witnesses and the victim from jail.

In this case, allegations are of burning the victim by throwing the acid. In this case, petitioner has been awarded maximum sentence of 15 years in the FIR in question. Therefore, though it may be the apprehension of the victim that accused may kill her but her apprehension may not be unfounded. However, she has made specific complaint regarding receiving threats from the accused to kill her and also threats to the witnesses.

In view of above, I do not find any infirmity in the order passed by the Deputy Commissioner, Kapurthala on 11.8.2017.

Petition stands dismissed.

(KULDIP SINGH)
JUDGE

21.01.2019
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No