

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.26228 of 2019
Date of Decision:24.10.2019

Amandeep Kaur

... Petitioner

Versus

State of Punjab & ors.

... Respondents

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

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

Ms. Anu Pal, DAG, Punjab.

RAJIV NARAIN RAINA, J.(Oral)

1. Through this petition, the petitioner has sought a writ of mandamus directing the respondents to grant the benefit of parole to the husband of the petitioner for a period of eight weeks for her treatment.

2. The petitioner was convicted and sentenced to undergo rigorous imprisonment for 10 years under Sections 22/61/85 of the NDPS, Act in case FIR No.413 dated 17.11.2014 registered at Police Station Tarn Taran. Criminal appeal filed by husband of the petitioner against his conviction was admitted by this Court.

3. Learned counsel for the petitioner submits that the petitioner is suffering from depression. There is no one else to look after her and the family. Theirs was not an arranged marriage, where the in-laws could have helped out in bringing up the minor daughter, who also, I am told, suffers from a mental disturbance. The petitioner has sought parole for her husband so that she and her daughter can be taken care of and taken to doctors by him for the line of treatment. It may also help the child to

improve her condition if the father is with her for the span of the parole.

Learned State counsel does not dispute this position.

4. In view of the facts and circumstances and keeping in mind the instructions taken by the learned Law Officer from the authorities at Tarn Taran, this petition is allowed. The husband of the petitioner is granted parole for eight 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 husband of the petitioner in jail after the period of parole is over and done with and the temporary release is not misused.

5. Ordered accordingly.

(RAJIV NARAIN RAINA)
JUDGE

24.10.2019

monika

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No