

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

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**CRWP No.4531 of 2020
Date of decision: 07.07.2020**

BALBIR SINGH @ BHUTNA @ BIRA

PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE S.N. SATYANARAYANA
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Vikas Mohan Gupta, Addl. AG, Punjab.

(The aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in
virtual Court.)

S.N. SATYANARAYANA, J.(ORAL)

The petitioner herein who is undergoing sentence pursuant to judgment passed in proceedings initiated in FIR No.123 dated 25.08.2009, for the offences punishable under Sections 302/307/34 IPC, read with Section 25, 27-A, 15/16/17 Unlawful Activities (Prevention) Act as it was initiated by Police Station GRP Ludhiana, District Ludhiana has come up in this writ petition.

The petitioner herein is undergoing sentence since 25.08.2009. It is also observed that earlier after completion of 5 years of sentence, he had

moved this Court on two occasions and was released on parole. In continuation of the same he had applied for parole this year also, however, the same is turned down by 3rd respondent, herein vide order dated 04.04.2020, which is subject matter of challenge in this writ petition.

Heard the learned counsel Sh. Bhanu Pratap Singh, appearing for the petitioner. On going through the contents of the petition, it is seen that the petitioner is undergoing sentence in prison where neither the petitioner nor anybody is affected with the pandemic of Covid-19.

In the event, this Court consider his application and enlarge him on parole, there is possibility that he would be exposed to being inflicted with the said virus while he is out on bail, as we all have know that the said disease is on raise in the open. Therefore, it is to protect the interest of the petitioner and as well as the other inmates in the prison, it is advised that the petitioner shall not pursue his prayer for parole. It is also observed that he is at liberty to move such petition after the pandemic is contained. Thereafter as and when he files an application seeking his release on parole, the same shall be considered on merits.

With such observation, this petition is disposed of with liberty to move the petition as and when it comes content.

(S.N. SATYANARAYANA)
JUDGE

(ARCHANA PURI)
JUDGE

July 07, 2020
Poonam Sharma