

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

205

CRWP-7137-2020

Date of decision : 17.09.2020.

Mandeep Singh and another

... Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Onkar Singh Batalvi, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Deepak Gupta, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioners are seeking their release on emergency parole as mother of petitioner No.1 has expired.

Learned counsel for the petitioners contends that the mother of petitioner No.1 had expired on 03.09.2020 and the *bhog* ceremony has to be performed on 19.09.2020. The father of petitioner No.1 had already expired and his brother is residing abroad. Petitioner No.2 is the wife of petitioner No.1.

Learned State counsel has filed reply by way of an affidavit of the Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib, district Sri Muktsar Sahib wherein it is stated that it has been verified that the *bhog* ceremony of the mother of petitioner No.1 is indeed fixed for 19.09.2020. It is also mentioned therein that several cases are registered against both the petitioners.

Learned counsel for the petitioners, however, contends that the wife of petitioner No.1, who is petitioner No.2 in this petition, has been falsely implicated just because of her relationship with petitioner No.1. He also contends that petitioner No.1, while on parole, had committed murder and therefore, in the event of this prayer being allowed by this Court, he should be permitted to attend *bhog* ceremony in police custody.

Heard.

The mother of petitioner No.1 and mother-in-law of petitioner No.2 has expired and the *bhog* ceremony is to take place on 19.09.2020. It is the moral obligation and duty of the petitioners to attend the *bhog* ceremony. No doubt there are several cases pending against the petitioners and in view of the past conduct of petitioner No.1, it would be appropriate to permit him to attend the *bhog* ceremony in police custody.

Consequently, the petition is partly allowed. Respondent No.2 is directed to send the petitioners from Central Jail, Hoshiarpur to their village 3-KK, Tehsil Padampur, district Sri Ganganagar on 18.09.2020. Petitioner No.1 shall attend the *bhog* ceremony in police custody. Both the petitioners shall return to the Central Jail, Hoshiarpur by 05.00 p.m. on 21.09.2020.

(ANUPINDER SINGH GREWAL)
JUDGE

September 17, 2020

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No