

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

CRWP 3841 OF 2021

Date of decision : 07/09/2021

Karamjit Singh @ Nikka

... Petitioner

versus

The State of Punjab and Others

... Respondents

Coram: Hon'ble Mr. Justice Jaswant Singh

Hon'ble Mr. Justice Vikas Bahl

Present Ms.Neha Gupta,Advocate for the petitioner

Mr.H.S.Grewal, Addl. AG Punjab for the respondents.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Jaswant Singh, J. (Oral)

Prayer in this petition under Article 226 of the Constitution read with Section 3 of the Punjab Good Conduct Prisoners Temporary Release Act,1962 is to release the petitioner on parole for four weeks to meet his ill and aged mother, as there is no other male member in the family, by setting aside the letter dated 19.11.2019 (P-1) written by District Magistrate, Sangrur to The Superintendent, District Jail, Sangrur, whereby his said request has not found favour with the former.

It is averred that father and brother of the petitioner are

confined in jail. There is no other male member in the family to look after the aged and ailing mother of the petitioner. Hence prayer for release of the petitioner on parole for four weeks for the said purpose.

Notice of motion was issued.

At the time of hearing, learned State counsel vehemently opposes the prayer made in the writ petition. In support, he has referred to impugned letter dated 19.11.2019 (P-1) written by District Magistrate, Sangrur to The Superintendent, District Jail, Sangrur.

A perusal of Annexure P-1 reveals that except petitioner, there are three other members in his family i.e., his father, mother and one brother. While his father and brother are undergoing imprisonment in a murder case, his mother aged 50 years is alone at home. District Magistrate, Sangrur in Annexure P-1 has referred to the report dated 22.10.2019 submitted by SSP Sangrur, whereby it is mentioned that petitioner is undergoing imprisonment in case FIR No.94 dated 1.10.2016 under Sections 302/323, 325, 148, 149 IPC. Regarding petitioner, it is stated that he is a person of "bad type" who used to keep bad eye on the girls/women, by standing in a Chowk of Mohalla and when he was stopped from doing so, he stabbed to death one Harkrishan Singh son of Gamdoor Singh. It is further stated therein that the residents of the Mohalla have made a joint statement that petitioner, through persons being released on bail, keeps sending threats that on his release he will again stand in the Chowk and not mend his ways. In the past he, alongwith his father and brother brutally killed said Harkishan Singh and due to his such behaviour the residents of the Mohalla are in constant fear as the petitioner is a threat to the law and order prevailing in the neighbourhood.

After hearing the learned State counsel and keeping in view the past history and conduct of the petitioner, as reflected in Annexure P-1, we find no ground to release the petitioner on parole.

Writ petition stands dismissed.

(Jaswant Singh)
Judge

07.09.2021
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(Vikas Bahl)
Judge

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