

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(226)

CRWP-7640-2021

Date of decision: 19.08.2021

Kashmiri Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Anupam Bhanot, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Article 226/227 of the Constitution of India read with Section 3 of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1988 for issuance of a writ in the nature of mandamus directing respondents to grant temporary release of the petitioner for two weeks to attend the wedding of his niece (daughter of real sister), which is to be solemnized on 21.08.2021.

Counsel for the petitioner has referred to the wedding card (Annexure P-2) to submit that the wedding ceremony is fixed for 21.08.2021 at Sangeet Palace, Bhullar Road, Batala and the reception of Barat is scheduled for 10:00 A.M.

Vide order dated 16.08.2021, this Court issued notice to the respondent-State, in response to which, learned State counsel, upon instructions from ASI Nirmal Singh has verified the factum of marriage.

He has placed on record the brief comments received by him from the Superintendent, Central Jail, Amritsar along with a report dated 18.08.2021 (Annexure R-1), verifying the marriage.

After having considered the submissions of the counsel for the parties, this Court is of the view that the presence of the petitioner, who is the maternal uncle (Mama) of the bridegroom, at the time of the marriage ceremonies is essential. It is only proper that he be permitted to attend the ceremonies in police custody.

Keeping in view the fact that the marriage has been verified, this Court deems it appropriate that the petitioner be taken from Central Jail, Amritsar in the morning on 21.08.2021 to the venue where the marriage is to take place in proper custody as per police rules. It is further directed that the petitioner be brought back to the jail premises on the same day by 06:30 P.M.

Superintendent, Central Jail, Amritsar is directed to make all the necessary arrangements.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

19.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No