

**(102) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRWP-11119-2021
Date of decision :03.12.2021**

Sukhbir Singh

... Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. H.S. Sullar, Deputy Advocate General, Punjab.

(Through Video Conferencing)

M.S. RAMACHANDRA RAO, J. (ORAL)

In this Writ Petition, the petitioner is seeking emergency parole from 04.12.2021 to 02.01.2022 on the ground that petitioner's sister-in-law is getting married on 06.12.2021.

It is contended that the petitioner had been convicted in case FIR No.335 dated 18.11.2017 and sentenced to undergo rigorous imprisonment for 20 years and to pay a fine of Rs.2 lakh and in default of fine, to further undergo rigorous imprisonment for one year under Section 21 of the NDPS Act, and rigorous imprisonment for 03 years and also to pay a fine of Rs.5000/- and in default of payment of fine, further

to undergo rigorous imprisonment for 15 days under Section 25 of the Arms Act.

It is also not in dispute that the petitioner had filed Criminal Appeal No.CRA-D-43-2021 which is pending for adjudication before this Court.

Petitioner contends that he has been in custody since 18.11.2017 for more than 04 years and is currently in the Central Jail, Faridkot and has been keeping good conduct in jail by not violating any terms and conditions of the Jail Manual.

According to the petitioner, his sister-in-law Sharanjit Kaur had been raised and brought up by the petitioner and his wife as their own daughter and she is living with the family of the petitioner since her childhood, and it would be necessary for him to be present at the time of her marriage to perform all the ceremonies in the capacity of father of the bride.

Mr. H.S. Sullar, Deputy Advocate General, Punjab does not dispute the factum of the marriage of sister-in-law of the petitioner and contends that the period of 30 days period is large and having regard to the nature of the findings recorded against the petitioner by the Sessions Court, the period of parole be reduced to 15 days.

Having regard to the said submissions and having regard to the fact that the marriage of the sister-in-law of the petitioner will take place on 06.12.2021, and since the petitioner had brought up the said sister-in-law as his own daughter, and the wife of the petitioner had also

given an affidavit supporting the case of the petitioner, and Panchayat declaration was enclosed to this Writ Petition speaking about the necessity of the presence of the petitioner to perform the ceremony at the time of the marriage, this Writ Petition is allowed and the petitioner is granted parole for a period of 15 days starting from 05.12.2021 subject to the petitioner providing surety bonds/bail bonds to the satisfaction of the District Magistrate, Faridkot, Punjab. Operative portion of the order be issued.

(M.S. RAMACHANDRA RAO)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

03.12.2021
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No