

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

101

CRWP-5209-2022

Date of decision:30.08.2022

Harjap Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Punjab.

HARINDER SINGH SIDHU, J.

Present criminal writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant the extension of parole to the petitioner which was to expire on 02.06.2022. During the pendency of this petition the petitioner surrendered on expiry of that period.

He was now prayed for release on interim bail for three months.

Vide judgment dated 27.07.2021 and order of sentence dated 28.07.2021 passed by learned Addl. Sessions Judge, Hoshiarpur, the petitioner has been convicted under Sections 302, 342, 34 IPC and sentenced to undergo RI for life and pay a fine of Rs.5000/-.

Feeling aggrieved by the said judgment, the petitioner filed an appeal bearing CRA-D-414 of 2021, which is pending before this Court.

It is the case of the petitioner that his wife is pregnant and it is a case of twin pregnancy. She needs proper care and treatment till

delivery. It is stated that there is no one in the family to take care of the wife of the petitioner. The expected date of delivery is 13.10.2022.

Pursuant to the directions of this Court, a reply by way of affidavit of Raj Kumar, PPS, Deputy Superintendent of Police, Sub Division Tanda, District Hoshiarpur on behalf of respondent No.1 has been filed. It is stated therein that the condition of the wife of the petitioner was got verified from Dr. Baljeet Kaur, MBBS, DGO, Medical Officer CHC, Tanda. She has stated that the wife of the petitioner needs proper care and caution and has been advised complete bed rest till delivery. It has also been verified (as per the statements of Kulwinder Kaur Sarpanch and Sukhwinder Singh Nambardar) that the mother of the petitioner has passed away. His father is 72 years of age and is unable to move. The sisters of the petitioner are married and unable to look after the wife of the petitioner. There is nobody in the house of the petitioner to look after his wife except for the petitioner.

Considering the aforesaid facts and circumstances, petitioner-Harjap Singh is directed to be released on interim bail for a period of two months commencing from 01.09.2022 till 31.10.2022 on furnishing bail bonds/sureties. He is directed to surrender before the Jail Authorities on or before 05.00 p.m on 01.11.2022.

(HARINDER SINGH SIDHU)
JUDGE

(LALIT BATRA)
JUDGE

30.08.2022
rashmi

1. Whether reportable?
2. Whether reasoned / speaking?

Yes / No
Yes / No