

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

CRWP-9472-2022 (O&M)

Date of decision:30.09.2022

Avdesh Kumar @ Avidesh Kumar

..... Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present:- Mr. Durga Dutt Sharma, Advocate for the petitioner.

Mr. Gurpreet Singh, Addl. A.G. Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

Instant petition has been filed seeking issuance of directions to the respondents for temporary release of the petitioner for 8 weeks to facilitate certain house repairs.

Counsel for the petitioner submits that the petitioner faced trial in FIR No.03 dated 04.01.2019 under Section 22 of the NDPS Act, registered at Police Station City Sri Muktsar Sahib and stands convicted vide judgment dated 19.08.2021 passed by the Trial Court. He was sentenced to undergo RI for a period of 14 years and to pay a fine of Rs. 1,50,000/-. The petitioner is currently serving out of his sentence at District Jail, Sri Muktsar Sahib.

Counsel has adverted to the averments made in para 4 of the petition as regards an application having been made for temporary release vide letter No.4794 dated 21.12.2021 to the Superintendent, District Jail, Sri Muktsar Sahib and the same is stated to have been forwarded to the District

Magistrate concerned.

The categoric submission is that till date no decision has been taken on the application filed by the petitioner seeking temporary release.

Notice of motion.

Mr. Gurpreet Singh, Addl. A.G. Punjab, accepts notice.

Copy of the petition already stands furnished.

Learned State counsel makes a statement that in case the application of the petitioner seeking temporary release is still pending, the same would be considered and dealt with in accordance with law and a final decision would be conveyed to the petitioner within a period of three weeks from today.

Statement is accepted.

No further directions are required to be passed.

It is clarified that we have not examined the claim of the petitioner for temporary release/parole on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

30.09.2022

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Whether speaking/reasoned? Yes/No

Whether Reportable? Yes/No