

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

CRWP No.11671 of 2022

Date of Decision: 14.12.2022

Amarjit Singh

.....Petitioner

Versus

State of Punjab and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Vishal Moudgill, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

Through the instant petition, petitioner seeks extension of parole.

The petitioner has been convicted in case FIR No.6 dated 07.01.2009 under Sections 364-A,342,382,328 IPC and Section 25 of the Arms Act vide judgment dated 05.12.2019 passed by learned Addl. Sessions Judge, Ludhiana and sentenced to undergo RI for life.

On an application having been moved by the petitioner, he was directed to be released on parole from 19.10.2022 to 14.12.2022. He, thereafter filed CRWP No.11486 of 2022, praying for extension of parole on the ground that his daughter, who is based in Newzealand, was visiting India after 12 years. Said petition was disposed of vide order dated 06.12.2022, granting liberty to the petitioner to move appropriate application/representation to the competent Authority for extension of parole within a period of two days. It was also directed that the representation filed by the petitioner be considered and a decision thereon be taken by the competent Authority before 13.12.2022.

Pursuant to order dated 06.12.2022, petitioner submitted a representation and a speaking order dated 09.12.2022 has been passed by the Deputy Commissioner, Ludhiana, declining the prayer for extension of parole on

the ground that the petitioner had already availed of two opportunities of parole for eight weeks each. There was no provision in the Punjab Good Conduct of Prisoners Act, 1962 for extension of parole beyond that period in one calendar year.

Learned counsel for the petitioner submits that the daughter of petitioner is visiting India after 12 years. His daughter has already undergone various traumas and experienced a lot of stress and ordeals over a long period and that she is in the process of recovery. At this stage, it is important for the petitioner to stay with her so as to facilitate her efforts to get through the traumatic phase. He submits that the petitioner would surrender before the Jail Authorities on 21.12.2022 by 5.00 p.m.

Notice of motion.

Mr. Dhruv Dayal, Addl.AG, Punjab, who is present in Court, accepts notice on behalf of the respondents-State of Punjab.

Taking into account the peculiar facts of case in hand particularly the fact that the daughter of the petitioner is visiting India after a long period to meet her father especially after undergoing tough times in life, instant petition is allowed with an observation that the petitioner need not surrender on 14.12.2022 i.e on expiry of the initial parole but would surrender on 21.12.2022 by 5.00 p.m and the parole would stand extended till that date.

(Harinder Singh Sidhu)
Judge

December 14, 2022
manoj

(Lalit Batra)
Judge

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