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2024:PHHC:106813-DB



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

CRWP-5181-2024

Date of decision: 20.08.2024

AMARJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH

HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Poonam Singh Thakur, Advocate, for the petitioner.

Mr. Kuljit Singh, Additional AG, Punjab.

SUDHIR SINGH, J.

1. By way of the present petition, the petitioner seeks grant of emergency/temporary release on account of his family circumstances and to arrange the funds for the education/admission of his minor children.
2. The petitioner is a convict and is undergoing life imprisonment for an offence under Section 302 IPC. He is presently lodged in District Jail, Rupnagar.
3. Learned counsel for the petitioner submits that the petitioner had submitted an application to respondent No.4-Superintendent of Jail, Rupnagar, for his temporary release due to the emergent circumstances in his family, but the said application was not entertained. It is further submitted that the family of the petitioner is going through financial constraints and due to non-payment of the electricity bill for the last six months, the electric connection of his house was disconnected by the



Punjab Electricity Board. It is further submitted that the petitioner has two sons, studying in 9th and 5th class respectively, and there is no financial support to the children as there is no source of income in the family. It is submitted that the petitioner may be released on temporary parole so that he could arrange funds for the education of children.

4. The State has filed a short reply by way of an affidavit of the Deputy Superintendent of Police, Sub Division Nangal, District Rupnagar.

5. Learned State counsel submits that the actual position regarding the family of the petitioner was got verified and in this regard statements of the local people and the area Councillor were also recorded. He refers to Para Nos.5 to 7 of the petition, which read as under:-

“5. That in regard to the contents mentioned in the para 4, 4a and 5, the statements of the people of locality of his residence have been recorded, who in their statement has affirmed the factum of condition of the children. A Joint statement by 5 persons of locality has been recorded in which they stated that,

“ He has two sons. Elder son Gagandeep Lamba aged about 18 years and younger Harshdeep Singh Lamba aged about 13 years. Younger son is studying in 6th standard and elder son after the death of his mother and by leaving his studies start residing at home only. That now he has to take admission in 9th class therefore his father has to come on leave. That we have no objection if he comes on leave.”

“6. That similarly one Shubham Sharma s/o Meghraj Sharma resident of adda market, Nangal has recorded his separate statement and stated that,”

“I am resident of above mentioned address, I am doing handloom shop in the residence premises only. That opposite to us S. Amarjeet Singh Lamba son of Rajinder Singh Lamba was residing, who on 25-8-21 has murdered his wife Savita Lamba who confined in District jail Raupnagar since then. That thereafter his sons



Gagandeep Lamba and Harshdeep Singh Lamba remained alone at the house. That Gagandeep Lamba thereafter leaving his studies start living in the house only. Younger son Harshdeep Singh Lamba studying in 6th standard. That his son Gagandeep Singh Lamba has to take admission in 9th standard. Due to which Amarjeet Singh Lamba has to come on leave. That we have no objection if comes on leave. That their daily expenses are being borne by my father Meghraj and Damanjeet Singh.”

“7. That sitting councilor of the concerned Municipal Ward namely Rajesh Kumar Chaudhary s/o late Sh. Birbal Dass has also got recorded his separate statement that,”

“ I am the present councillor of ward No.10, adda market, Nangal, Amarjeet Singh s/o Rajinder Singh Lamba was residing at my ward adda market, Nangal who on 25-8-21 has committed murder of his wife Savita Lamba, who is confined to District jail, Rupnagar since then. That thereafter his son Gagandeep Lamba and Harshdeep Singh Lamba remained alone in the house. That his son Gagandeep Singh thereafter has leave the studies and start living at home only, who now wish to take admission in 9th class. Therefore he has to come on leave. That the residents of locality are having no objection if he comes on leave. Younger son Harshdeep Singh Lamba is studying in 6th class. That both the children are residing in the house alone. That their daily expenses are being borne by Meghraj and Damanjeet Singh.”

6. From the aforesaid extracts, it appears that the financial position of the family of the petitioner is not good and the children are being supported by the people of his locality. The learned State counsel has no objection in case the petitioner is released on a parole for 5 weeks.

7. In view of the above, the present petition is disposed of with direction to grant 5 weeks' parole to the petitioner, subject to his furnishing fresh bonds to the satisfaction of the competent authority/Duty Magistrate. The period of 05 weeks shall be counted from the date of his release. The releasing Court/ Duty Magistrate shall also notify the dates of release and surrender of the petitioner. The petitioner shall



surrender before the jail authorities on the date and time to be notified by the releasing Court/Duty Magistrate. After surrender, the petitioner shall furnish a surrender certificate.

8. The State counsel shall also file a report apprising this Court about the surrender of the petitioner.

(SUDHIR SINGH)
JUDGE

(KARAMJIT SINGH)
JUDGE

20.08.2024

Priyanka Thakur

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No