

2024:PHHC:000495-DB

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

205

CRWP-9763-2023

Date of Decision: 05.01.2024

Avtar Singh @ Tari

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Tarun Singla, Advocate for the petitioner.

Mr. Harmandeep Singh Sullar, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL , J.(Oral)

This petition has been filed challenging the order dated 1.8.2023 whereby the application for release on parole for 8 weeks to do family work has been rejected.

Learned counsel for the petitioner submits that the petitioner has been convicted under Section 302 IPC and sentenced to undergo life imprisonment. He has undergone an actual sentence of 3 years and 6 months, therefore, he is entitled to release on parole.

In response to the query of the Court as to whether the petitioner is married, learned counsel for the petitioner submits that the petitioner is a bachelor.

Learned State Counsel while referring to the reply submits that the petitioner has not been released on parole as he is convicted for the murder of his brother and his mother who is an eye witness has

opposed his release on parole. She is stated to have submitted written application that she is having threat to her life from the petitioner.

The petitioner has been convicted under Section 302 IPC for murder of his brother and is the sole convict. The conviction appears to have been based on the testimony of Suchiar Kaur who is mother of the petitioner as well as the deceased. The petitioner is stated to be a bachelor and does not have any other family members besides his mother who has strongly opposed his release on parole. He has undergone an actual sentence of 3 years and 6 months. Consequently, we do not find any merit in this petition at this stage.

The petition is dismissed at this stage.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

January 5, 2024
anuradha

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