

**ITEM NO.36**

**COURT NO.3 SECTION II-B  
(HEARING THROUGH VIDEO CONFERENCING)**

**S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S**

**IA No.117180/2020 in  
Petition for Special Leave to Appeal (Cr1.) Nos.9650-9651/2019**

**(Arising out of impugned final judgment and order dated 19-08-2019  
in LPA No.1397/2019, 19-08-2019 in LPA No.1395/2019 passed by the  
High Court Of Punjab & Haryana At Chandigarh)**

**JASBIR SINGH @ JASSA**

**Petitioner(s)**

**VERSUS**

**STATE OF PUNJAB & ORS.**

**Respondent(s)**

**(IA No. 117180/2020 - FOR PAROLE)**

**WITH**

**SLP(Cr1) No.9875/2019 (II-B)**

**(IA No.161311/2019 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)**

**Date : 18-11-2020 This matter was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE UDAY UMESH LALIT**

**HON'BLE MR. JUSTICE VINEET SARAN**

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**

**Counsel for the Parties:**

**Mr. V. Giri, Sr. Adv.  
Ms. Suveni Bhagat, Adv.  
Mr. Amartya Kanjilal, Adv.  
Ms. Shivani Misra, Adv.  
Mr. Vibhor Jain, Adv.**

**Ms. Jaspreet Gogia, AOR**

**Mr. Abhishek Singh, AOR**

**Mr. B. V. Balaram Das, AOR**

UPON hearing the counsel the Court made the following  
O R D E R

Vikram Singh @ Vicky Walia son of Shri Gurjinder Singh alongwith two others was found guilty of the offences punishable under Sections 302, 364-A and 201 read with Section 120B of the Indian Penal Code, 1860 ("IPC" for short) and was sentenced to death in respect of the offences punishable under Sections 302 and 364-A IPC in Sessions Trial No.24 of 2005 on the file of the Sessions Court, Hoshiarpur.

The sentence of death was confirmed by the High Court in Murder Reference No.1 of 2007 and in Criminal Appeal No.105-DB of 2007 vide its judgment dated 30.05.2008. This Court also upheld the sentence of death in Criminal Appeal Nos.1396-97 of 2008 vide judgment dated 25.01.2010.

Mercy Petition preferred by said Vikram Singh @ Vicky Walia having been rejected, Writ Petition No.21274 of 2016 (Q&M) was preferred which came up for consideration before the Single Judge of the High Court, who dismissed the petition by order dated 26.07.2019.

The matter was carried in appeal by preferring Letters Patent Appeal No.1395 of 2019, which was dismissed by the Division Bench as not being maintainable.

The decision of the Division Bench is presently under challenge in this Special Leave Petition.

It is reported that the mother of said Vikram Singh @ Vicky Walia died on 13.11.2020 and some of the last rites including Bhog Ceremony are to be performed on 19.11.2020 and 21.11.2020 at Patiala. It is, therefore, submitted that said Vikram Singh @ Vicky Walia be permitted to attend these ceremonies.

Ms. Jaspreet Gogia, learned Advocate appearing for the State, has submitted that in Punjab Jail Manual, there is no provision that a death convict can be released on parole and to similar effect are the submissions of Mr. Abhishek Singh, learned Advocate appearing for the family of the victim.

Ms. Jaspreet Gogia, learned Advocate however submitted that in the peculiar facts and circumstances of the case and in terms of instructions received by her, said Vikram Singh @ Vicky Walia can be afforded the permission to attend the last rites and ceremonies of his deceased mother on the relevant dates from 10.00 a.m. to 4.00 p.m., provided he is accompanied by the Police Escort all the time

We accept the suggestion and direct:

- a) Vikram Singh @ Vicky Walia, convict in Sessions Trial No. 24 of 2005 shall be allowed to attend the last rites and ceremonies of his deceased mother on 19.11.2020 and 21.11.2020 in Police Escort;
- b) the facility shall be available only from 10.00 a.m to 4.00 p.m. on the relevant dates and after 4.00 p.m., said Vikram Singh @ Vicky Walia shall be re-lodged in the concerned jail;

- c) the facility shall be available only for the aforesaid purpose and apart from the residential address, details of which are given here, he shall not be taken to any other place.

"House No.206, Street No.2, Baba Deep Singh Nagar, Patiala, Punjab."

- d) utmost care shall be taken by the Police Escort in every behalf.

A copy of this order shall immediately be sent to the concerned Police Station Urban Estate, Patiala as well as to the Superintendent of the Jail where said Vikram Singh @ Vicky Walia is presently lodged.

A compliance affidavit shall be filed in this Court on or before 27.11.2020.

List this matter for further consideration on 02.12.2020.

Let the order be issued today itself.

(MUKESH NASA)  
COURT MASTER

(BEENA JOLLY)  
BRANCH OFFICER