

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

**CRWP No.1186 of 2015
Date of decision :17.08.2015**

Rajesh and others

.....Petitioners

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vishal Rattan Lamba, Advocate
for the petitioners.

Mr. G.S. Salwara, DAG, Haryana.

Five petitioners who are related to Ram Kumar have approached this Court for direction to the respondent to release them on emergency parole on account of death of Ram Kumar father of petitioner Nos.1 and 2 and brother of petitioner Nos.3 to 5 under the provisions of Section 3 of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

The petitioners were sentenced to 05 years imprisonment. Their appeal is pending and they are undergoing sentence. Ram Kumar, father of petitioner Nos.1 and 2 had died on 07.08.2015. The petitioners had approached the Jail Superintendent for permission to attend the last rites and ceremonies. It is stated that the petitioners were not allowed to go even in police custody.

Annexure P-3 shows that the convicts had not completed 1 year sentence and parole could not be granted.

Learned counsel for the petitioners states that he restricts his prayer only to petitioner Nos.1 and 2 and they may be permitted to go on parole for 3 days. He also states that the Kriya ceremony is fixed for

Learned State counsel submits that the rules do not permit any parole or furlough at this stage as the petitioners have not completed 01 year of sentence and they can be allowed to go in custody.

Petitioner Nos. 1 and 2 are the real sons of Ram Kumar. The petition is partly allowed. Petitioner Nos. 1 and 2 namely Rajesh and Suresh Kumar sons of Ram Kumar are permitted to go in police custody to attend the last ceremony which is scheduled for 20.08.2015.

The Jail Superintendent could make timely arrangements and petitioner Nos.1 and 2 would be taken in custody for the Kriya ceremony which is to take place on 20.08.2015. They shall brought back the same evening after the ceremony is over. Adequate arrangements regarding security would be put in place.

The petition is disposed of.

August 17, 2015

ps-/

**(ANITA CHAUDHRY)
JUDGE**