

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

247

**Criminal Writ Petition No.129 of 2015(O&M)
Date of decision: October 01, 2015**

Chander Hans @ Hans Raj

....Petitioner

versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. A.S. Trikha, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed for quashing of order dated 02.07.2014 (Annexure P-1) passed by Commissioner, Rohtak Division, Rohtak as previously, the petitioner was allowed to go on parole for agriculture purposes but subsequently, his parole was cancelled on the ground that one stranger lady came to meet him and one sim card was recovered from his food items supplied by the said lady.

On 03.09.2015, the following order was passed:

"The grievance of the petitioner is that he was

allowed to go on parole for agriculture purposes but while he was about to furnish the surety bonds, one stranger lady was stated to come to meet him and he was declared ineligible on the ground that one sim card was recovered from his food/fruits items supplied by said lady whereas the petitioner has no concern with said lady and even he was not aware as to who came to meet him.

Learned State counsel submits that name of the lady might be mentioned in the register to be maintained for keeping a record of the visitors.

Superintendent, District Prison, Jhajjar is directed to file an affidavit within a period of two weeks stating therein as to whether the name of the lady was mentioned in the list of visitors and to mention as to whether the whereabouts of that lady were verified before she was allowed to meet the petitioner or not. It should also be mentioned therein as to how the petitioner is related to that lady.

Adjourned to 01.10.2015."

In response thereto, learned State counsel has filed an affidavit of Superintendent, District Prison, Jhajjar wherein it has been mentioned that the name of that lady is mentioned in the list of the visitors and she was allowed to meet the petitioner earlier as well as she has stated herself to be *bhabhi* of the petitioner whereas wrong averments have been made by the petitioner with regard to the fact that he has no relation with that lady and he was not aware about her whereabouts.

In view of the stand taken in the affidavit, no ground is made out to interfere with the impugned order as the petitioner has wrongly stated that he is not related to that lady whereas her name was entered in the list of the visitors.

The present petition is dismissed.

However, the petitioner is at liberty to move afresh application, if he so desires, on any other ground.

October 01, 2015
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(DAYA CHAUDHARY)
JUDGE