

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

Crl. W.P. No.1383 of 2015

Date of Decision: 19.09.2015

Pola Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. R.S. Dhull, Advocate
for Mr. Sanjeev Majra, Advocate
for the petitioner.

Mr. Sulinder Kumar, D.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Articles 226/227 of the Constitution of India for releasing the petitioner on *parole* on the ground that his son has expired in a motor accident on 11.09.2015 and *Bhog Ceremony* is on 20.09.2015, where his presence is required.

Learned counsel for the petitioner submits that the presence of the petitioner is required for performing certain ceremonies and rituals relating to death of his son. He further submits that the petitioner is ready to abide by all terms and conditions to be imposed by this Court and there is no breach of peace and he is not going to misuse this concession.

Learned counsel for the respondent-State, on instructions from ASI Om Parkash, has verified the factum of death of son of the petitioner and his *Bhog Cerremony*.

Heard the arguments of learned counsel for the petitioner and

have also considered the submissions made by learned State counsel.

The factum of death of son of the petitioner as well as his *Bhog Ceremony* has been verified. The petitioner is undergoing sentence in case FIR No.56 dated 28.03.2003 under Section 29 of the Arms Act at Police Station Chhachhrauli. He has been convicted by the trial Court and his appeal has been dismissed by this Court on 24.03.2015 and he is in jail since 30.07.2015.

Keeping in view the submissions made by learned counsel for the petitioner and also by considering that the son of the petitioner has died in motor accident and the *Bhog Ceremony* is fixed for 20.09.2015, the request of the petitioner is allowed and he is directed to be released on *parole* for a period of 10 days.

The Jail Superintendent, District Jail, Yamuna Nagar is directed to release the petitioner on *parole* for a period of ten days subject to his furnishing surety to its satisfaction. The petitioner is also directed to surrender before the concerned Jail Authorities on expiry of aforesaid period.

The petition is allowed accordingly.

A copy of this order be given *dasti* under signatures of Special Secretary attached to this Court.

19.09.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE