

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Writ Petition No.1583 of 2015

Date of Decision: November 04, 2015

Mohit

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: Hon'ble Mr. Justice S.S. Saron
Hon'ble Mr. Justice Amol Rattan Singh

Present: Mr. Munish Behl, Advocate
for the petitioner.

S.S. Saron, J.

This criminal writ petition has been filed by the petitioner Mohit seeking his temporary release on parole for a period of three weeks, for the purpose of attending 'Jagran' that is to be organized by his father at his residence.

The petitioner has been convicted by the learned Sessions Judge, Ambala, vide judgment and order passed on 16.11.2013, relating to case FIR No.40, dated 10.02.2011, registered at Police Station Mahesh Nagar, District Ambala, for the offence punishable under Section 302 Indian Penal Code.

Aggrieved against his conviction, the petitioner has filed Criminal Appeal No.D-331-DB-2014, which is pending in this Court.

According to the petitioner his father is organizing a 'Jagran' which is to be held on 07.11.2015. It is submitted that father of the petitioner namely Rajinder Pal submitted an application (Annexure P-3) to the Superintendent, Central Jail, Ambala, for grant of parole to the petitioner. However, the said application has not been considered.

We have given our thoughtful consideration to the matter.

A perusal of the application (Annexure P-3), it is to be noticed that it is not clear whether such an application had indeed been submitted by the father of the petitioner to the jail authorities. According to the learned counsel for the petitioner, the same was handed over at the gate of the Jail on 19.10.2015.

Be that as it may, the question of temporary release on parole, in terms of Section 3 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, is to be considered by the competent authorities and parole can be granted in circumstances, including any other sufficient cause.

Therefore, this criminal writ petition is disposed of with the direction that in case father of the petitioner has submitted an application (Annexure P-3) before the jail authorities, the same shall be considered by the competent authority to grant parole. In any case, if the petitioner files a fresh application, the competent authority shall consider the same in accordance with law.

This petition is accordingly disposed of.

(S. S. Saron)
Judge

04.11.2015
vcgarg

(Amol Rattan Singh)
Judge