

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

257

CRWP No. 1661 of 2015

Date of decision:-27.11.2015

Rajesh Sharma @ Raju

.....Petitioner

Versus

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. Akshay Rana, Advocate and
Mr. S.K Gupta, Advocate,
for the petitioner.

Mr. B.S Virk, DAG, Haryana.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India for grant of emergency parole to the petitioner under Section 3 (1) (b) of the Haryana Good conduct Prisoners (Temporary Release) Act, 1988.

Learned counsel for the petitioner submits that marriage of the son of real sister of petitioner is to be solemnized on 07.12.2015 and being the maternal uncle (mama), his presence is required as he is the only brother and certain ceremonies are to be performed by him at the time of marriage of his nephew. Copy of the marriage card showing programme of the marriage has also been annexed with the petition.

Notice of motion was issued in the case and factum of marriage and the petitioner being the only son of his parents has been affirmed by learned State counsel on instructions from ASI

Vinod Kumar. On perusal of custody certificate filed in the Court, it is found that the petitioner has undergone actual sentence of approximately 3 years and 08 months and no other case is pending against him.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner is the only maternal uncle and his presence is required at the time of marriage of his sister's son, which is to be solemnized on 07.12.2015, the petition is allowed. The petitioner is allowed parole for a period of one week w.e.f 03.12.2015 to 09.12.2015. The Superintendent, District Prison, Jhajjar is directed to release the petitioner on parole for period of one week w.e.f 03.12.2015 to 09.12.2015 to his satisfaction. The petitioner is directed to surrender before the jail authorities on expiry of period of one week i.e. on 10.12.2015.

27.11.2015

PA

**(DAYA CHAUDHARY)
JUDGE**