

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

**CRWP 1690 of 2015**

Date of Decision : December 03, 2015

Manjeet

.....Petitioner

**VERSUS**

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN  
HON'BLE MR. JUSTICE GURMIT RAM**

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

Mr. Praveen Bhadu, Asstt. A.G., Haryana.

**T.P.S. MANN, J. (Oral)**

Prayer made in the present petition filed by the petitioner under Article 226 of the Constitution of India is for issuance of appropriate directions to the Superintendent, District Jail, Karnal to exercise the power of the State Government in respect under Clause (a) of sub-section 1 of Section 3 of the Parole Act, 1988 and allow him emergency parole so as to enable him to perform the last rites of his brother who passed away on 23.11.2015.

Upon notice, reply has been filed by the Superintendent, District Jail, Karnal on behalf of the respondents wherein it is mentioned that brother of the petitioner, namely, Sandeep, aged about twenty nine years, expired on 23.11.2015 and his *Tehranvi* is scheduled to be held on 5.12.2015. The petitioner has two sisters who are married. His father has already

expired and his mother is presently living in village Kavi, P.S. Matlauda, District Panipat. It has also been stated that as petitioner has not completed one year of his sentence after conviction and has not earned first annual good conduct remission as provided under Rule 4(1) of the Haryana Good Conduct Prisoners (Temporary Release), Rules 2007. Further, in para 5 of the reply on merits, it has been mentioned that the Superintendent Jail, is authorized to send the petitioner, even if he is a hardcore prisoner, under police escort.

It may not be out of place to mention here that while filing the petition, the petitioner also sought alternative relief of being taken under police custody so as to perform the last rites of his deceased brother.

Having heard learned counsel for the parties, this Court is of the considered view that directions can be issued to the jail authorities to take the petitioner under police escort to his village so as to enable him to perform last rites of his deceased brother-Sandeep.

Resultantly, the petition is disposed of with a direction to the Superintendent, District Jail, Karnal to make arrangements for sending the petitioner under police escort to his village on 5.12.2015 so as to enable him to perform last rites of his deceased brother. It be assured that the petitioner remains present with his family in his village for a period of at least

four hours on 5.12.2015 and, thereafter, brought back to the jail before sunset on 5.12.2015.

An attested copy of the order under the signatures of the Bench Secretary of this Court is being handed over to the State counsel for compliance.

**( T.P.S. MANN )  
JUDGE**

**December 03, 2015**  
amit rana

**( GURMIT RAM )  
JUDGE**