

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

CRWP No.22 of 2015

Date of decision : February 24, 2015

Pappu @ Kaira

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM : HON'BLE MR.JUSTICE S.S. SARON
HON'BLE MR.JUSTICE GURMIT RAM**

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

Present : Mr. Mohan Lal Singla, Advocate,
for the petitioner.

Mr. Baljinder Singh, D.A.G., Haryana.

S.S. SARON, J.

Learned counsel for the State has filed reply by way of affidavit of Sh.Sher Singh, Superintendent, District Jail, Karnal on behalf of respondents No.1 and 2. The same is taken on record.

The petitioner seeks temporary release on parole for a period of six weeks for carrying out agricultural operations of the land belonging to the family of the petitioner. According to the petitioner his family members are unable to perform agricultural operations.

In terms of the reply that has been filed in Court, the District Magistrate, Baghpat has inter alia reported that agricultural work in respect of the family of the petitioner was being looked after by father of the petitioner namely Dharampal and no difficulty was being faced in agricultural work. Besides, the petitioner is facing trial before the learned Court of Sessions Judge at Baghpat under Sections 2 and 3 of the Gangster Act in Special Case no.27 of 2003 bearing FIR No.558 of 2002 Police Station Barot.

We have given our thoughtful consideration to the contentions of the learned counsel for the parties. The ground for seeking premature release on parole is that the family members of the petitioner are unable to carry out agricultural operations. However, according to the reply that has been filed, it is stated that the District Magistrate, Baghpat i.e. the district in which the land of the family of the petitioner is situated, has informed after verifying from the Superintendent of Police, Baghpat that all members of the petitioner's family carry out agriculture operations. It is stated that work of agriculture was being looked after by Dharam Singh, father of the petitioner and he was facing no difficulty in agriculture work. It is also stated that in Village Luhari, Police Station Barot, which is the village of the petitioner, there is rivalry, grudge and bias and hence possibility of an untoward incident could not be ruled out. It is also stated that case FIR No.558 of 2002 under Sections 2 and 3 of the Gangster Act stands registered against the petitioner at Police Station Barot. Another case is registered him at Police Station Shaja.

From the reply that has been submitted, it appears that the

petitioner has propensity towards crime and his release at this stage is likely to endanger maintenance of public order. Therefore, in the facts and circumstances, it would be inexpedient to release him on parole at this stage.

Accordingly, the criminal writ petition is dismissed.

(S.S. SARON)
JUDGE

February 24, 2015.

Gaurav Sorot/A.Kaundal

(GURMIT RAM)
JUDGE