

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. W.P. No. 696 of 2015

DATE OF DECISION: 28.10.2015

Rohit Chaudhary

.....Petitioner

Versus

State of Haryana and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. VS Rana, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Article 226 of the Constitution of India for setting aside the order dated 30.4.2015 passed by respondent No.2, whereby, the application filed by the petitioner for grant of parole has been rejected.

Learned counsel for the petitioner contends that only because of the reason that the petitioner made a complaint against the Jail Superintendent, his claim has been rejected. Earlier also the petitioner was granted parole but that concession was never misused by him. The application moved by the petitioner has wrongly been rejected on the ground that he has committed the jail offence and is hard core prisoner.

Notice of motion was issued in the case on 5.5.2015 and

thereafter the case was adjourned on various dates either on the request of learned counsel for the State or on the request made by learned counsel for the petitioner to place on record certain documents. The ground taken for grant of parole is that the petitioner has to get his two children admitted in the school and there is no other male member in the family to make arrangement for the admission. On 30.9.2015, a query was put to learned counsel for the petitioner with regard to the fact as to whether admission is possible at this stage or not. In response to aforesaid query, it was stated by learned counsel for the petitioner that admission is possible at this stage also as per information given by the Principal of the School with late fee. Learned State counsel was also directed to verify as to whether the admission can be possible now at this stage or not. The contact number of the Principal of the School was also given by learned counsel for the petitioner to learned State counsel. On verification by State counsel, a written communication has been sent by Principal of Bhagirath Public School, Ghaziabad, wherein, it has been stated that admission for class 10th and 7th are already over for the current session 2015-16 and at present no admission is possible.

Keeping in view the fact that admission for class 10th and 7th is not possible at this stage as the current session is over, the petition being devoid of any merit is hereby dismissed.

However, the petitioner is at liberty to move an application for parole well-in-advance for the next session or on any other ground, if any.

October 28, 2015
pooja

(DAYA CHAUDHARY)
JUDGE