

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. W.P. No. 731 of 2015

Date of decision : June 29, 2015

Mukesh Kumar

... Petitioner

vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. H.S. Jaswal, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Surinder Gupta, J

Heard.

The petitioner seeks direction to respondent No.2 i.e. Superintendent, District Jail, Gurgaon to entertain his application seeking parole under the provisions of Haryana Good Conduct Prisoner's (Temporary Release) Act, 1988 and to forward the same to respondent No.1 and 3 for final decision.

The contention of the petitioner is that he moved application for parole on 5.5.2015 but the same was not accepted and returned.

In reply, it has been submitted that no such application was submitted by the petitioner on 5.5.2015.

Without going into merits, this petition is disposed of with direction to respondent No.2 to entertain the application for parole moved by the petitioner and take appropriate legal action on the same.

Learned counsel for petitioner submits that the reply filed by the respondent disclosed that the petitioner is not being allowed the benefit of parole on the ground that he falls under the category of 'Hard Core Criminals' and apprehend that the application on being entertained may be declined. This apprehension of learned counsel for petitioner is without basis because it cannot be anticipated that respondents will proceed against the rules. If any such action is taken, the petitioner will be at liberty to file fresh petition.

Learned counsel for petitioner further submits that daughter of the petitioner is to take admission in B.Sc. as such the application for parole be decided at the earliest.

The application on filing be decided within a period of two weeks of the date of filing the same.

(Surinder Gupta)
Judge

June 29, 2015

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