

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

**Crl. Writ Petition No. 775 of 2015 (O&M)
Date of decision : May 21,2015**

Mahipal

... Petitioner

versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mrs. Sarla Chaudhry, Advocate
for the petitioner.

ANITA CHAUDHRY,J(ORAL)

Mahipal, the petitioner, is undergoing sentence of life imprisonment in FIR No. 498 dated 04.12.1996, under Sections 148, 149, 302, 323 and 427 IPC, Police Station Sadar Palwal. He is seeking emergency parole for four weeks for attending the marriage of his daughter Babli scheduled for 25.05.2015 and for agricultural purposes.

Learned counsel for the petitioner, at the outset, has confined her prayer to attend the marriage and seeks liberty to file fresh petition, so far as the prayer for temporary release of the petitioner for agricultural purposes, is concerned. Ordered accordingly.

Notice of motion.

Mr. S.S. Pannu, DAG Haryana accepts notice and seeks time to verify the factum of marriage of daughter of the petitioner.

Due to paucity of time and no working period, it would not be possible for the Court to give a date. The marriage is said to be fixed for 25.05.2015. Marriage card (Annexure P-2) and writing by Panchayat (Annexure P-3) have also been placed on record.

Section 3 of the Act stipulates temporary release of prisoners on certain grounds, viz. serious illness of prisoner or serious illness or death of prisoner's family, or marriage of the prisoner himself or close relative, for ploughing, sowing or harvesting or carrying any agricultural pursuits. An exception clause 3(d) has been inserted for the authorities to consider the temporary release where sufficient cause was shown to do so.

In view of the facts and circumstances of the case, there is no impediment in allowing the prayer of the petitioner for his temporary release to attend the marriage of his daughter.

Therefore, directions are issued to the Superintendent District Jail, Faridabad to first verify the factum of marriage of daughter of the petitioner on 25.05.2015 and if the said fact is found to be correct, then necessary arrangements shall be made by him for ensuring the presence of the petitioner in the marriage on 25.05.2015 from 9:00 a.m. till 6:00 p.m., in police custody. Thereafter, the petitioner shall be lodged in jail.

Petition stands disposed of.

May 21, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE