

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

Crl. Writ Petition 981 of 2015

Date of Decision : September 17, 2015

Durgesh

.....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. Jagmohan S. Ghumman, Advocate
for the petitioner.

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

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

Prayer made in the petition is for the grant of parole to the petitioner for a period of four weeks so as to enable him to get his children admitted in the school.

The petitioner stands convicted under Section 302 IPC and Section 25 of the Arms Act and sentenced to undergo life imprisonment. He is presently behind the bars since 12.5.2015 as during the pendency of the trial, he was granted the concession of bail on 28.5.2014.

According to the petitioner, the admission of his children is going on and there is no male member in his family who can make necessary arrangements for payment of school fees of his children.

Reply has been filed by Sh. Ramesh Pal, HPS, Assistant Commissioner of Police, DLF, Gurgaon by way of his affidavit wherein it stands mentioned that the other family members of the petitioner can take necessary steps for the admission of his children in the school. Further, the petitioner is

confined in jail in a heinous crime and in the event of his release on parole, he is likely to misuse the concession.

Learned counsel for the petitioner has produced copy of letter dated 25.8.2015 issued by the Account Officer, DIS RC, Pondha, Dehradun, wherein it is stated that Dev Yadav, ward of the petitioner, who is studying in the said school since April, 2015, has not paid the fees and in case the outstanding dues were not cleared, he would not be permitted to attend school after 30.8.2015. He has also produced copy of another letter dated 25.8.2015 from the Principal, Doon International School, Dehradun (Uttarakhand), wherein it is mentioned that Karan Yadav, son of the petitioner, who had passed Secondary Examination in the year 2015 was selected for admission in class XI and one seat was still kept reserved for him. However, the petitioner has been asked to deposit an amount of Rs. 1,42,276/- and also to bring his son to the school, positively by 31.8.2015.

The last dates by which the petitioner was required to deposit the charges for admission of his two children in the school has already expired. Even otherwise, the other family members of the petitioner can take steps in connection with admission of his two children. For these reasons, the petitioner cannot be granted the concession of release on parole.

The petition is, therefore, dismissed.

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

September 17, 2015
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**(GURMIT RAM)
JUDGE**