

CRWP-1384-2016

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

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CRWP-1384-2016

Date of decision : 22.11.2016

SURENDER

.....Petitioner

versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S.Dhull, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing the order dated 21.09.2016 declining the parole of 04 weeks to the petitioner for effecting house repair.

Reply by way of affidavit of Daya Nand, Superintendent, District Jail, Rohtak on behalf of respondents has been filed, the same is taken on record. Copy has been supplied to the opposite party. As per the reply, the case of the petitioner is not covered by the policy dated 18.09.2015.

Learned DAG has relied upon judgment of the Supreme Court in the matter of “Varinder Singh vs. State of Punjab and another 2014(1) JT 620” to contend that the policy on the date of the conviction

would be applicable and in these circumstances, the case of the petitioner is not covered under the policy dated 18.09.2015. It has been further asserted (and this fact is not denied) that there was no requirement of any minimum period of custody for parole at the time of conviction of the petitioner.

As per the record, the petitioner has undergone 02 years and 10 months of sentence out of the total sentence of 05 years. Report of the Deputy Commissioner of Police has come who has accepted that there is no legal impediment in the release of the petitioner.

In these circumstances, the petition stands allowed and petitioner be granted 04 weeks parole for effecting house repair.

November 22 , 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No