

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

**Crl. Writ Petition No. 1513 of 2016 (O&M)
Date of decision : 28.11.2016**

Parveen @ Moni

..... Petitioner

versus

State of Haryana & Ors.

... Respondents

CORAM:- HON'BLE MS. JUSTICE ANITA CHAUDHRY

**Present: Mr. R.S. Budhwar, Advocate
for the petitioner.**

Mr. Apoorv Garg, DAG Haryana.

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ANITA CHAUDHRY, J.

Through the instant petition, the petitioner who is undergoing 05 years' imprisonment, is seeking parole for three weeks to enable him to attend the marriage of his sister's daughter fixed for 28.11.2016.

On the strength of invitation card, Annexure P-1, it was submitted that the daughter of petitioner's sister is going to be married on 29.11.2016 and as per provisions contained in Section 3(1)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, the petitioner is entitled to be released on parole. It was further mentioned that application Annexure P-2 along with other documents was submitted to the jail authorities on 12.11.2016, but no order had been passed thereupon.

Notice of the petition was given to the State on

23.11.2016. It was a short notice. Reply is not ready.

It was informed that no application, Annexure P-2 had been received by the jail authorities on 12.11.2016 and the relatives of the petitioner had informed the jail authorities about filing of the petition before this Court on 22.11.2016.

It is strange that application Annexure P-2 is said to have been sent by post on 12.11.2016, whereas the certificate of Panchayat, annexed with the petition as Annexure P-3 is dated 15.11.2016. Apart therefrom, it was claimed in the application Annexure P-2 by Murti Devi, the sister that the petitioner is her only brother and he alone could perform the rituals.

Learned State counsel has pointed out that a wrong averment had been made as besides the petitioner, there are other elder brothers in the family who can perform the rituals.

In view of the above, no case is made out for release of the petitioner. Dismissed.

November 28,2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No