

Criminal Writ Petition No. 1519 of 2016

Date of decision : November 23, 2016

NARVEER

.....Petitioner

Versus**STATE OF HARYANA AND ORS**

....Respondents

**CORAM:- HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MRS. JUSTICE LISA GILL**Present: Mr. Abhishek Goyal, Advocate
for the petitioner.

S.S. SARON, J.

The petitioner by way of the present petition under Article 226 of the Constitution of India seeks extension of parole which was granted to him from 03.11.2016 and is to expire on 25.11.2016.

The petitioner has been convicted and sentenced to life imprisonment by the learned Additional Sessions Judge, Faridabad on 19.11.2015 in case FIR No.137 dated 25.8.2013 registered at Police Station Chhainsa (Faridabad) for the offences punishable under Sections 302, 201, 202 and 34 Indian Penal Code; besides, Section 25 of the Arms Act, 1959. He was arrested in the said case on 30.8.2013 and since then he is in jail.

The petitioner while undergoing his life imprisonment applied for parole which had been sanctioned for the period from 3.11.2016 to 25.11.2016. During the period of parole, the marriage of the sister of the petitioner was fixed on 11.11.2016 for 1.12.2016.

Therefore, it is prayed that the parole granted to the petitioner which is to expire on 25.11.2016 may be extended.

It is to be noticed that the marriage of the sister of the petitioner was fixed on 11.11.2016 for 01.12.2016. He has filed the present petition on 22.11.2016. At the time when the marriage was fixed, the petitioner was on parole; therefore, the fixation of marriage could well have been adjusted within the period of his parole. Besides, there is no explanation for his filing the petition from 11.11.2016 to 22.11.2016. He has filed the petition at a late stage so that necessary verification and response from the respondents is obtained in a hurried manner. At this stage, in view of the holidays on 24.11.2016 to 27.11.2016 it would be difficult to ascertain by 25.11.2016 i.e. when the parole of the petition expires as to whether the marriage is indeed fixed for 01.12.2016.

In the circumstances, learned counsel for the petitioner prays that he may be allowed to withdraw this petition and file a fresh one for parole/suspension of sentence after the petitioner surrenders in Jail on 25.11.2016.

The petition is accordingly dismissed as withdrawn with liberty as prayed for.

(S.S. Saron)
Judge

(Lisa Gill)
Judge

November 23, 2016
rts