

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.M-380 of 2016(O&M)
Date of Decision: May 04, 2016

Rajender Kumar

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vishal Nehra, Advocate
for the petitioner.

Mr.D.R.Singla, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this criminal writ petition under Article 226/227 of the Constitution of India read with Section 482 Cr.P.C. read with Section 3(1) (b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, for issuing directions to respondents for releasing the petitioner on parole for six weeks for treatment of his wife, who is admitted in the Primacy Health Centre, Bhoorbaral, Meerut.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the accused-petitioner is undergoing sentence for life under Section 302 IPC etc. Earlier, on 19.06.2007, he was released on parole for six weeks and directed to surrender at Central Jail, Ambala on 01.08.2007 forenoon but the petitioner did not surrender on the due date and he was arrested and lodged in the Central Jail, Ambala on 13.02.2015 i.e. after 7 years 6 months and 12 days by the local police in new case FIR No. 23 dated 15.01.2015 under Sections 379 and 411 IPC. Though he has been acquitted in that case by learned JMJC, Ambala City.

From the above discussion, I find that the accused-petitioner had misused the parole granted to him and he jumped the parole for 7 years 6 months and 12 days and he was arrested by the police police and has not surrendered himself. Further, there is no cogent medical record to show any serious disease to the wife of the petitioner. Only, one bed head ticket of PHC Bhoorbaral, Meerut has been placed on record and other document is medical certificate asking for complete bed rest from 08.03.2016 to 28.03.2016.

In view of the above discussion, I do not find any ground for granting parole to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

May 04, 2016
Vgulati

(INDERJIT SINGH)
JUDGE