

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

Crl. Writ Petition 389 of 2016
Date of Decision : March 22, 2016

Suresh Kumar @ Nimma Saini

.....Petitioner

VERSUS

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mr. Vivek Goyal, Advocate
for the petitioner.

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

T.P.S. MANN, J.

By filing the present petition under Article 226 of the Constitution of India read with Section 3(1)(d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, the petitioner has sought his release on parole for four weeks so as to enable him to attend the Bhog ceremony of his mother, who has passed away.

The petitioner stands convicted in FIR No. 348 dated 30.8.2013 under Sections 302/323/201/34 IPC, Police Station Tohana and sentenced to undergo imprisonment for life. Against his conviction and sentence, he has filed the appeal which stands admitted for final hearing.

According to the petitioner, his mother expired on 15.3.2016. Immediately, thereafter, his father moved the authorities for his release so as to enable him to participate in the

last rites of his mother but the said application was not considered by the Jail Superintendent. It has been submitted that the Bhog ceremony of his late mother is to be performed on 27.3.2016. Therefore, the petitioner be released on parole for a period of four weeks so that he may be present at the Bhog ceremony of his mother.

Upon notice, learned State counsel has submitted that the factum of the petitioner's mother having breathed her last stands duly verified and her Bhog ceremony is to be performed on 27.3.2016.

Having heard learned counsel for the parties and keeping in view the fact that the Bhog ceremony of the petitioner's mother is to be performed on 27.3.2016, a case is made out for releasing the petitioner on parole.

Resultantly, the petition is accepted and the petitioner is ordered to be released on parole for a period of ten days from the date of his actual release subject to his furnishing adequate bonds to the satisfaction of the District Magistrate, Fatehabad.

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

March 22, 2016
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**(RAMENDRA JAIN)
JUDGE**