

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

**CRWP No.1615 of 2016 (O&M)
Date of Decision: March 23, 2017**

Manoj

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mrs.Sarla Chaudhary, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

The petitioner has filed this criminal writ petition under Article 226/227 of the Constitution of India for grant of parole for house repair under Section 3(1) (d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 for 4 weeks by setting aside the Rejection Report dated 23.11.2016 (Annexure P-1).

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

From the record, I find that vide order dated 23.11.2016, the case of the petitioner seeking parole for 4 weeks has been dismissed mainly on the ground that the petitioner does not own any house. A specific reply was called from the State on this point. The reply was filed on behalf of the

respondent-State by way of affidavit of Superintendent, District Jail, Rohtak, in which it is stated that the verification was got conducted through police Station Sadar Dadri on 05.03.2017 from village Pintawas Kalan, District Bhiwani. During the verification, it was found that the petitioner Manoj S/o Jaibhagwan is a permanent citizen of village Pintawas Kalan and the age of father of the petitioner namely Jaibhagwan is about 58 years. The petitioner Manoj has no house in his name and all the property is in the name of his father. The wife of petitioner, his brother and three sons of the petitioner live together with the parents of petitioner. They have also one new house constructed about 3 years ago which is kothi type.

When the petitioner does not own any house in the village and the house is in the name of father of the petitioner, therefore, no ground for parole on the basis of house repair is made out. The father of the petitioner is aged about 58 years. The petitioner has also one brother residing in the house owned by father of the petitioner. If at all, the repair of the house is required, the father of the petitioner can get the same done.

In view of the above discussion, I find that the order dated 23.11.2016 passed by the competent authority, is as per facts and law and does not require any interference from this Court.

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

March 23, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No