

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

**CRWP-620-2016**

**Date of Decision :01.02.2017**

VINOD

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: None for the petitioner.

Mr. Deepak Sabherwal, Addl. Advocate General, Haryana  
for respondents.

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**FATEH DEEP SINGH, J. (ORAL)**

Heard.

Records perused, in light of the stand of the State and the policy pertaining to the Haryana Good Conduct Prisoners (Temporary Release) Amendment Act 2012 and 2013 by virtue of Section 2 (aa) (iv) the definition assigned to hardcore prisoner is as follows:-

***“Hardcore Prisoner means a prisoner: who has been detected of using cell phone or in possession of cell phone/SIM card inside the jail premises.”***

*That as per section 5A of the Haryana Good Conduct Prisoners (Temporary Release) Amendment Act, 2012 being a hardcore prisoner the petitioner is not entitled for parole.*

By virtue of Haryana Good Conduct Prisoners (Temporary Release) Amendment Act 2015 it is compulsory to complete five years since the date of becoming hardcore prisoner and in the present case he has completed four years five months and therefore the case of the petitioner could not be considered for parole as he has also been sentenced to undergo imprisonment for one month for jail offence, which has been appraised

judicially by the Court of learned District and Sessions Judge, Yamunanagar vide order dated 18.09.2012 which has upheld the sentence awarded by the Superintendent Jail, Yamunanagar. Thus the case of the petitioner cannot be considered before the expiry of the five years period so thus finding no merits at this stage the petition stands dismissed.

Necessary intimation be sent to the quarter concerned.

**(FATEH DEEP SINGH)**  
**JUDGE**

**February 01, 2017**

*Sunil Devi*

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |