

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

CRWP No. 110 of 2017

Date of decision : 31.01.2017

Parveen

.....Petitioner

Versus

The State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE S.S. SARON

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. K.P.S. Virk, Advocate for petitioner.

S.S. SARON J.

Notice of motion.

On the asking of Court, Mr. S.S. Pannu, Deputy Advocate General for the State of Haryana accepts notice on behalf of respondent-State.

The criminal writ petition has been filed by the petitioner Parveen seeking grant of three weeks parole to him for the purpose of celebrating the marriage ceremony of his real elder brother.

The petitioner has been convicted by the learned Additional Sessions Judge, Rohtak on 28.05.2015 in case FIR No.98 dated 24.02.2011 registered at Police Station - Sampla, Distt. Rohtak for the offences punishable under Sections 148, 149, 323, 353, 186, 302, 307, 216 and 120-B Indian Penal Code, besides, Section 25 of the Arms Act 1959.

The petitioner against his conviction and sentence has filed criminal appeal No. D-1129-DB of 2015 titled Parveen Vs. State of Haryana, which is pending in this Court. According to the petitioner he has undergone more than 05 years and 11 months of actual imprisonment. He has not been granted any bail or parole till date.

The mother of the petitioner submitted an application (Annexure P-1) through registered post, dispatched on 04.01.2017, to the Superintendent, Distt. Jail Rohtak (respondent No.2) for grant of parole to the petitioner for the purpose of making arrangements and also attending the marriage of his real elder brother. It is stated that the parents of the petitioner are not maintaining good health, therefore, he has to make the arrangements.

The marriage of the elder brother of the petitioner is to be solemnized on 16.02.2017. The wedding card (Annexure P-2) of the marriage has been placed on record. It is submitted that the petitioner is entitled for consideration of his parole under Section 3 (1) (b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988. It is also submitted that there is no reason for declining parole to the petitioner.

After giving our thoughtful consideration to the matter, it is to be noticed that an application (Annexure P-1) sent by the mother of the petitioner through registered post on 04.01.2017 for grant of parole to the petitioner is pending consideration with the respondents. Therefore, it would be just and expedient in the facts and circumstances that the case of the petitioner for grant of parole is decided by the respondents as

expeditiously as possible and preferably before the date of marriage.

Accordingly, the present criminal writ petition is disposed of with the direction to the respondents to consider and dispose of the application (Annexure P-1) submitted by the mother of the petitioner as expeditiously as possible and preferably before the solemnization of the marriage of the elder brother of the petitioner. The programme of the marriage ceremonies are to commence from 15.02.2017.

Copy of this order be given to Mr. S.S. Pannu, D.A.G., Haryana under the signatures of the Bench Secretary of this Court for necessary compliance.

(S.S. SARON)
JUDGE

31.01.2017
sunil yadav

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No