

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1356 of 2017

Date of Decision: 22.11.2017

Sumit Saini

. . . Petitioner

Versus

State of Haryana and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Randeep S. Dhull, Advocate
for the petitioner.

Ms. Shubhra Singh, Addl. A.G., Haryana.

M.M.S. Bedi, J. (Oral)

The petitioner through the present writ petition under Article 226/227 of the Constitution of India, seeks concession of emergency parole in order to enable him to attend the marriage of his sister, which is fixed for 24.11.2017.

As per reply filed, the factum of marriage is confirmed.

Heard counsel for the petitioner and considered the fact that the petitioner would fall in the zone of eligibility with effect from 01.12.2017 for grant of parole on completion of one year of custody after conviction.

Following the precedent in **Deepak Vs. State of Haryana and another 2014 (4) R.C.R. (Criminal) 531**, permitting emergency

CRWP No.1356 of 2017

parole prior to completion of one year of imprisonment on the basis of good conduct in special circumstances specified in the Haryana Good Conduct Prisoners (Temporary Release) Rule , 2007, we find it a case where the said discretion can be used as the petitioner is short of one week to fall in the eligibility zone.

It is confirmed in the report that marriage of real sister of the petitioner is fixed for 24.11.2017. We confirmed from the record regarding the conduct of the petitioner during his imprisonment after conviction. No adverse report has been brought to our notice.

In the peculiar circumstances of the present case, the petition is allowed. It is ordered that the petitioner would be released on emergency parole with effect from 23.11.2017 to 27.11.2017 on his furnishing requisite bonds before the competent authority. The period of emergency parole from 23.11.2017 till 27.11.2017 will be adjustable against parole permissible to the petitioner, as per rules.

The petitioner would surrender on 28.11.2017 by 2 O'clock.

For report regarding surrender, adjourned to 06.12.2017.

[M.M.S. BEDI]
JUDGE

[AUGUSTINE GEORGE MASIH]
JUDGE

November 22, 2017

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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No