

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

**Criminal Writ Petition No.383 of 2017 (O&M)
Date of Decision: September 18, 2017**

Satish @ Bobby

.....PETITIONER(s).

VERSUS

State of Haryana and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Bhalla, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G., Haryana.

SURINDER GUPTA, J.

This Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for grant of emergency parole to the petitioner under Section 3 and 4 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 for a period of four weeks on account of serious illness of his mother, who is suffering from serious TB problem.

Heard.

Learned counsel for the petitioner submits that he has not to place on file medical record of the mother of petitioner. The petitioner has earlier sought emergency parole as Rule 9 of Haryana Good Conduct Prisoners (Temporary Release) Rules, 2007 bars grant of parole to a convict, who has been awarded major jail punishment for a period of one year from the date of his punishment. The petitioner was sentenced in this

case on 15.09.2016. By now, the petitioner has completed one year sentence and is entitled to regular parole. He will move fresh application to the concerned authorities in this regard and seeks permission to withdraw this petition.

In view of submission of learned counsel for the petitioner, this petition is allowed to be withdrawn with liberty to the petitioner to file fresh application seeking parole as per aforesaid rules. His application, on filing, will be considered by the competent authority within the stipulated period as per letter of Haryana Government No.38/10/94-JJ(11) dated 16.03.1999 reiterated in letter No.38/01/2014-1JJ(II) dated 09.10.2014. While considering the application of the petitioner, the withdrawal of this petition will not be a fact to be considered.

September 18, 2017

Sachin M.

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No