

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No. 505 of 2017
Date of Decision: 12.09.2017

Mulakh Raj @ Mulkhu

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jasjit Singh Rattu, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

The petitioner was convicted and sentenced in case bearing FIR No. 56 of 2008 registered at Police Station Kotwali, Amritsar for offences punishable under Section 302 and 381 of Indian Penal Code (for short 'IPC') vide judgment dated 15.09.2009.

The petitioner applied for parole, which was declined on the ground that District Magistrate Faizabad had not recommended grant of parole to him. As per order dated 01.06.2017, passed in this petition, affidavit of District Magistrate, Faizabad was called, wherein he stated that Senior Superintendent of Police, Faizabad vide his report has not recommended the grant of parole to petitioner, who was convicted for a heinous crime for offences punishable under Sections 302 and 381 IPC.

The petitioner is in jail for the last 8/9 years and has not been allowed parole so far. Co-accused, namely, Sunil Kumar, against whom also similar report was made by District Magistrate, Faizabad, was ordered to be

released on parole vide order dated 01.05.2017 passed in CRWP-1167-2016.

Applying the principle of parity and finding no reason in support of report sent by District Magistrate, Faizabad, this petition is allowed on the same terms as observed in order dated 01.05.2017 passed in CRWP-1167-2016.

September 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No