

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

CRWP 627 of 2017

Date of Decision : May 26, 2017

Vijay @ Kalu

.....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Ms. Babli Kumari, Advocate for
Mr. Arjun Lakhanpal, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

T.P.S. MANN, J. (Oral)

Prayer made in the petition filed by convict Vijay @ Kalu is for issuance of direction to the respondents to release him on emergency parole for fifteen days as his mother passed away on 14.5.2017 and her last rites have to be performed.

According to the petitioner, he is undergoing sentence for ten years under Section 326-A IPC pursuant to the judgment and order dated 30.1.2015 passed by the learned Additional Sessions Judge, Fatehabad and the appeal filed by him against his conviction and sentence is pending adjudication before this Court. Further, Geeta mother of the petitioner, who was undergoing treatment in Jindal Hospital, Hisar died on 14.5.2017 due to failure of her kidneys. He is the only male member in the

family as his father has already expired. There is no one to perform the last rites of his deceased mother. Prayer has, accordingly, been made for releasing him on emergency parole for fifteen days.

Upon notice, learned State counsel has placed on record the report of the Station House Officer, Police Station Sadar, Tohana dated 25.5.2017, wherein, it stands mentioned that the mother of the petitioner died on 14.5.2017 and her last rites will be performed on 27.5.2017. Further, the petitioner is the only son of his parents.

Having heard learned counsel for the parties, this Court is of the view that the petitioner can be released on emergency parole for a limited period of time so as to enable him to perform the last rites of his deceased mother.

Resultantly, the petition is accepted. The petitioner shall be released on emergency parole for a period of five days from the date of his actual release subject to his furnishing appropriate bonds to the satisfaction of the District Magistrate, Fatehabad.

May 26, 2017
amit rana

(T.P.S. MANN)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No