

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

**CRWP No. 90 of 2017 (O&M)
Date of decision : 24.01.2017**

Tasveer Singh

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

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

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Ms. Sarla Chaudhry, Advocate for petitioner.

S.S. SARON J.

Criminal writ petition has been filed by petitioner Tasveer Singh seeking six weeks parole for carrying out agriculture work in terms of Section 3 (1) (c) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 ('Act'- for short). The petitioner is undergoing imprisonment for a period of 13 years after his conviction in case FIR No.150 dated 20.02.2009 under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It is submitted that the father of the petitioner namely Mokam Singh submitted an application (Annexure P-1) for grant of agriculture parole to the petitioner. The Gram Panchayat of Shayamatori Esagarh, Distt. Ashok Nagar (M.P.) also recommended for the grant of parole. However, it is submitted that the agriculture parole of the petitioner has not been considered.

We have given our thoughtful consideration to the matter.

It is to be noticed that the application (Annexure P-1) submitted by Mokam Singh, father of the petitioner has been endorsed by the Gram Panchayat vide endorsement dated 23.12.2016. However, perusal of the postal receipt (Annexure P-2) shows that it is dated 23.11.2016. Therefore, the application (Annexure P-1) could not have been submitted earlier to the endorsement made by the Gram Panchayat. Besides, the original application (Annexure P-1) has been placed on record. Therefore, it is doubtful whether the said application has been submitted before the jail authorities.

Keeping in view the aforesaid position, the learned counsel for the petitioner submits that she may be allowed to withdraw this petition and file a fresh petition on behalf of the petitioner seeking temporary release on parole for agriculture purpose.

In these circumstances, the criminal writ petition is dismissed as withdrawn.

However, in case the petitioner files an application for grant of agriculture parole, it is hoped that the competent authority under the Act would consider the same as expeditiously as possible, preferably within six weeks of its receipt.

(S.S. SARON)
JUDGE

24.01.2017
sunil yadav

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No