

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

CRWP No.1516 of 2017 (O&M)

Date of Decision:- 11.01.2018

Himanshu alias Hanny

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B.S. WALIA**

Present:- Mr. Govind Chauhan, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General,
Haryana.

Rajesh Bindal, J.

The petitioner has filed the present writ petition claiming
the following relief:

“The present petition may kindly be allowed and the
petitioner may kindly be granted four weeks i.e. from
10.01.2018 to 10.02.2018 emergency parole for the
marriage of his real sister fixed for 22.01.2018.

Any other appropriate order or direction may kindly be
issued in the interest of natural justice.”

2. The petition has been styled as ‘Criminal Writ Petition’.

3. The High Court has framed Writ Jurisdiction (Punjab and
Haryana) Rules, 1976, which is forming part of Punjab and Haryana

High Court Rules and Orders, Volume-5, Chapter-4, Part-F. Rule-3 thereof provides for Criminal Writ Petitions, which reads as under:-

3. Criminal Writ Petitions.- A petition for the issuance of a writ in the nature of habeas corpus or any petition challenging order of punishment passed in pursuance to any proceedings before a Court Martial or its equivalent tribunal shall be styled as 'Criminal Writ Petition'.

4. A perusal of the aforesaid rule shows that a Criminal Writ Petition can be filed in the nature of habeas corpus or any petition challenging order of punishment passed in pursuance to any proceedings before a Court Martial or its equivalent tribunal. The reliefs claimed in the present petition do not fall in any of the categories prescribed in the rule.

5. Hence, the Criminal Writ Petition for the relief claimed is not maintainable.

6. Dismissed.

7. However, it will not bar the petitioner to avail appropriate remedy in accordance with law.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

11.01.2018
rajesh.k.khurana

Whether speaking /reasoned : Yes / No
Whether Reportable : Yes / No