

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

(207)

CRWP-114-2018

Decided on: February 08, 2018.

Rajinder

.... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Susheel Gautam, Advocate, for the petitioner.

Ms. Shubhra Singh, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

Petitioner Rajinder seeks emergency parole to enable him to attend the marriage of his nephew which is fixed for 16.02.2018.

We have gone through the record of the petitioner. He had earlier been granted concession of parole. As per the reply filed, the petitioner legally cannot be granted the concession of parole. As per Rule 11 (3) of the Haryana Good Conduct Prisoners (Temporary Release) Rules, 2007, only one parole can be granted either under Section 3 (1) (b) or section 3 (1) (d) and not for both separately during the calendar year except as provided under Rule 8 of the said Rules.

Since the petitioner is eligible for only one parole either under Section 3 (1) (b) or Section 3 (1) (d) during calendar year 2018, the statutory bar prohibits the release of the petitioner on emergency parole.

We have also examined the existence of “sufficient cause” in context to the provisions of Section 3 (1) (d) and Rule 8.

On account of statutory bar, the emergency parole cannot be granted, however, in the interest of justice and fairness, taking into

consideration the previous good conduct, it is ordered that the petitioner will be permitted to attend the marriage in custody at his own expenses on 16.02.2018 from 10:00 AM to 04:00 PM at Shambhu Colony, Post Office Pansra, District Yamunanagar. He will be taken in custody in the morning at the venue and would be brought back same day after 04:00 P.M. for which the expenses will be borne by the petitioner.

Disposed of with above said directions.

(M.M.S. BEDI)
JUDGE

February 08, 2018.
harsha

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No