

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

CWP No. 12702 of 2018

Date of Decision: 22.05.2018

ANOOOP

.....Petitioner

V/S.

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Ms. Nupur Choudhary, Advocate, for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

RAKESH KUMAR JAIN, J. (Oral)

The petitioner, who is a life-convict and presently lodged in District Jail, Sonipat, has filed this petition invoking Section 3 (1) (d) of the Haryana Good Conduct Prisoners (Temporary Release), Act 1988 (hereinafter referred to as 'the Act') for issuance of writ in the nature of Mandamus for directing the respondents to grant parole for four weeks to attend his pregnant wife who is likely to deliver a child anytime.

Notice of motion was issued and reply has been filed in the Court today wherein it is averred that the SHO, Police Station, Ganaur had reported that the petitioner's pregnant wife namely, Prevesh, who is residing in House No. 752, Sector 6, Karnal with her five year old son, Arman, is likely to deliver a child at any time.

Learned counsel for the petitioner has submitted that as per Section 3 (1) (d) of the Act, the petitioner may be released on parole as the reason assigned for his release is a sufficient cause.

After hearing learned counsel for the parties, I am of the considered opinion that once it has been verified by the State agency that

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wife of the petitioner is in a family way and is likely to deliver a child at any time and there is no other adult member except a 5 year old son, I deem it just and expedient to grant parole to the petitioner for four weeks so that he may be with his wife at this crucial juncture.

Therefore, the present writ petition for parole is accepted and the petitioner is directed to be released immediately on parole for a period of four weeks which would be counted from the date of release, subject to furnishing of surety bond to the satisfaction of District Magistrate, Sonapat who would impose necessary conditions for securing his presence back to the jail after completion of the parole period.

Copy Dasti.

May 22, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

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