

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.14247 of 2018
Date of decision: 2.7.2018

Sahab Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr.Ravinder Bangar, Advocate for the petitioner.

Mr.Saurabh Mohunta, DAG Haryana.

Rakesh Kumar Jain, J. (Oral)

Reply filed on behalf of respondents in the Court today is taken on record.

The petitioner was convicted and sentenced under the NDPS Act, 1988. He overstayed the period of parole for six months. He has applied for parole under Section 3(1)(d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 (for short 'the Act'). Since his application was not decided one way or the other, therefore, he has filed this petition for seeking mandamus.

After notice, respondents have filed reply in which it is alleged that being a Hardcore Prisoner, the petitioner cannot apply for parole under Section 3(1)(d) of the Act as the Hardcore prisoner can apply under Section 5(A)(2) of the Act.

Faced with the argument, counsel for the petitioner prays for

withdrawal of the petition with liberty to file a fresh one in terms of Section 5(A)(2) of the Act for the purpose of seeking parole.

Dismissed as withdrawn with liberty aforesaid.

July 2, 2018
Meenu

(Rakesh Kumar Jain)
Judge

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