

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 17.07.2018****CWP No.16423 of 2018**

Shaukeen

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Garima Sharma, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

Ms. Goyal has filed reply by way of affidavit of Sh. Lakhbir Singh, Superintendent, Central Jail, Ambala on behalf of respondents No.1 to 4.

Heard learned counsel for the parties.

The petitioner Shaukeen, who was convicted and sentenced to death for an offence punishable under Section 302 read with 120-B and 201 IPC, later on commuted to life imprisonment, by way of present petition seeks temporary release on emergency parole for a period of three weeks on account of marriage of his daughter, namely, Sahira Khatoon.

The marriage of the petitioner's daughter is to be solemnized on 24.08.2018. It is submitted that the petitioner being the father has to perform necessary rituals at the time of marriage. The wedding card (Annex

P-1) and the character certificate (Annexure P-2) have been placed on record.

In the affidavit filed today, it is stated that the petitioner had been recently released on parole for four weeks on 24.03.2018 on account of school admission of his children. Ms. Goyal submits that parole cannot be given more than once in a year either for the purpose of admission or for the marriage of his daughter/son except agriculture purposes.

As per the wedding card (Annex P-1), the marriage is to be solemnized on 24.08.2018 at Mohalla – Nawab Darwaza, Town – Kairana (Shamli). Though the petitioner has availed parole recently, however, he did not misuse the concession. It is not the case of the respondents that if the petitioner be released on bail, he would be a threat to the society. Thus, it would be just and expedient that three weeks' parole is granted to the petitioner to enable him to attend the marriage of his daughter.

Accordingly, the instant petition is accepted and the respondents are directed to release the petitioner on parole for three weeks to be counted from the date of his release subject to his furnishing personal bond and surety to the satisfaction of the concerned District Magistrate. The petitioner shall surrender in jail after the expiry of three weeks.

17.07.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>