

CWP No.20752 of 2018 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20752 of 2018

Date of decision: September 19, 2018

Rafiq

...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. Rahul Mohan, DAG Haryana.

Rakesh Kumar Jain, J. (Oral)

This petition is filed for seeking parole for performing the last rites i.e. to offer *Namaz* of Fatia on account of death of the mother of the petitioner which took place on 10.8.2018. The petitioner is a life convict, presently lodged in Bhondsi Jail, Gurugram.

After notice, the respondents have verified about the factum of death of mother of the petitioner on 10.8.2018. It is also not disputed that the petitioner who had earlier been released on parole and furlough has never misused the same by not reporting back to the jail authorities on the fixed date and time. The only objection raised by the respondents is that the petitioner is facing trial in a jail offence case i.e. keeping mobile phone for which a case FIR No.308 dated 5.10.2013 under Section 42 of Prison Act, P.S. Bhondsi, Gurugram was registered against him. However, the said case is still pending and not decided.

Keeping in view the totality of the facts and circumstances as

stated by the petitioner that he had always obeyed the order of the Court

inasmuch as surrender after the completion of the period of parole/furlough, he is ordered to be released on parole for a week to attend the ceremony of Fatia. The petitioner shall furnish his bail bonds to the satisfaction of District Magistrate, Mewat who would impose necessary conditions in bail bonds to ensure the return of the petitioner to the jail to suffer the remaining sentence.

The petition stands disposed of.

September 19, 2018
Meenu

(Rakesh Kumar Jain)
Judge

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