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

CWP No.23641 of 2018

Date of decision: September 21, 2018

Rajender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sunil Sihag, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Rakesh Kumar Jain, J. (Oral)

The petitioner is suffering four years rigorous imprisonment in District Jail, Karnal in a case registered vide FIR No.576 dated 17.12.2013, under Sections 306/34 IPC at Police Station Gharaunda, District Karnal. He was earlier released on agricultural parole from 02.08.2018 to 29.08.2018 in terms of an order passed by this Court in CWP No.18195 of 2018.

The petitioner has now prayed for grant of parole to attend the marriage of his sister's daughter being her Mama (maternal uncle). In this regard, he has appended the invitation card of the marriage.

Respondents no.1 to 4 have filed their reply in which the factum of marriage is not denied but it is submitted that the petitioner has already availed parole in the month of August and the prayer made in this petition is just a ploy to remain outside the jail.

In reply thereto, counsel for the petitioner has referred to Section 3(1)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 (hereinafter referred to as the “Act”) to contend that a prisoner can seek parole to attend the marriage of his sister's daughter. It is submitted that the petitioner has not misused the concession of parole, earlier granted to him, as he had surrendered before the jail authorities in time.

After hearing learned counsel for the parties and examining the available record, I am of the considered opinion that the petitioner can be released on parole to attend the marriage of his sister's daughter, which is scheduled to be solemnized on 22.09.2018 at Delhi.

Consequently, the present petition is hereby allowed and the petitioner is ordered to be released on parole immediately for a period of 7 days to be able to attend the marriage of his sister's daughter, on furnishing his surety bonds etc. to the satisfaction of the District Magistrate concerned and other necessary conditions imposed upon him in order to ensure his return after availing the parole.

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September 21, 2018
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(Rakesh Kumar Jain)
Judge

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