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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-27946-2018 (O&M)  
Date of decision : 30.11.2018

Satish @ Katu

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

Present:- Mr. Sumit Sangwan, Advocate for the petitioner.  
Mr. Nischal Mann, DAG, Haryana.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

**KULDIP SINGH J. (ORAL)**

Affidavit dated 29.11.2018 of Anil Kumar, Deputy Superintendent, District Jail, Jhajjar filed in Court today is taken on record.

Heard.

Petitioner has impugned the order dated 16.6.2018 (Annexure P-1) passed by Commissioner, Rohtak Division (Annexure P-1) vide which request of the petitioner for parole for house repair under Sections 3(1) (d), 3(2) (b), 4 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 was declined.

Petitioner is undergoing life imprisonment in a murder case. He applied for parole for house repair which has been declined vide the impugned order dated 16.6.2018 (Annexure P-1). A perusal of the impugned order shows that it was noticed that another FIR No. 790 dated 20.11.2012 under Sections 148, 149, 323, 324 and 307 of the Indian Penal Code, registered at Police Station Jhajjar is pending against the petitioner. He has committed a heinous crime of murder. Therefore, in view of the report made by District Magistrate, Charkhi Dadri and Superintendent of

Learned counsel for the petitioner has stated that petitioner has been acquitted under Section 307 of the Indian Penal Code. This fact is admitted in the affidavit filed by Deputy Superintendent, District Jail, Jhajjar. No other case is reported to be pending against the petitioner. It is also admitted in the affidavit filed by Deputy Superintendent, District Jail, Jhajjar that petitioner was granted agricultural parole/furlough from 2.11.2017 to 15.12.2017 and he surrendered in jail on 15.12.2017. In this way, he did not misuse the previous parole and he is not habitual offender as observed in the impugned order.

In view of above, present petition is allowed and the order dated 16.6.2018 (Annexure P-1) passed by Commissioner, Rohtak Division (Annexure P-1) is set aside and petitioner is ordered to be released on parole for house repair for a period of four weeks on his furnishing adequate surety to the satisfaction of the District Magistrate concerned.

Allowed accordingly.

**(KULDIP SINGH)**  
**JUDGE**

**30.11.2018**  
*preeti*

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|-----------------------------|-----|
| Whether speaking / reasoned | Yes |
| Whether Reportable:         | No  |