

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

**CWP No.28149 of 2018 (O&M)
Date of decision : November 01, 2018**

Malak Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. D.S. Virk, Advocate for the petitioner.

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)

Heard.

Notice of motion.

Mr. R.K. Ambavta, AAG, Haryana accepts notice on behalf of the State.

Learned counsel for the petitioner states that the agriculture parole of the petitioner has been declined by the learned Assistant Commissioner, Karnal Division, Karnal, vide order dated 28.09.2018 (Annexure P-1) on the ground that a case under Section 379 and 411 IPC is registered against the petitioner.

Learned counsel for the petitioner has produced the copy of the order dated 05.06.2017 passed by the learned Judicial Magistrate 1st Class (Duty), showing that he is on bail in the said case.

I am of the view that mere registration of the case for theft itself is no ground to decline the agriculture parole. No other case is pending against him. He is not a habitual offender. As such, the order dated

28.09.2018 (Annexure P-1) passed by the learned Assistant Commissioner, Karnal Division, Karnal is set aside and he is directed to pass a fresh order within two weeks from the date of receipt of certified copy of this order.

Disposed of.

Copy of this order be given *dasti* under signature of Bench Secretary.

(KULDIP SINGH)
JUDGE

November 01, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No