

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

**CWP No. 2904 of 2018**

**Date of Decision: 08.02.2018**

***ANAND KINDO***

.....Petitioner

**V/S**

***STATE OF HARYANA AND ANOTHER***

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**

Present: Mr. Nonish Kumar, Advocate,  
for the petitioner.

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**RAKESH KUMAR JAIN, J. (Oral)**

The petition is filed for seeking parole for a period of three weeks on account of his real brother's marriage fixed on 12.02.2018 at Matiali Chai Baghan (Pucca Line) Matiali, District Jalpaiguri, West Bengal.

The petitioner was awarded death sentence in the case registered vide FIR No. 83 dated 15.05.2007 under Sections 120-B/201/460/302/34 of IPC at Police Station Chandi Mandir, Panchkula by the Additional Sessions Judge, Panchkula on 13.06.2008. The petitioner preferred the appeal bearing No. CRA-D-413-DB of 2008 in which order of death sentence was converted into life imprisonment under Section 302 IPC and the sentence under Section 392 IPC was affirmed.

As per Section 2 (aa) of The Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 (hereinafter referred as 'the Act'), the petitioner falls within a definition of "hardcore prisoner" for committing the offences under Section 392 and 302 of the IPC.

In view of the facts and circumstance of this case, the present case of parole/temporary release is to be dealt with under Section 5-A of the

Act for which the petitioner has to approach the concerned Superintendent of Jail for the purpose of seeking parole for attending the marriage of sibling. But it transpires from the record that the petitioner has not approached the concerned Jail Superintendent, therefore, the present petition is not maintainable and is hereby dismissed, though without any order as to costs.

**February 8, 2018**  
Ess Kay

**(RAKESH KUMAR JAIN)**  
**JUDGE**

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