

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

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**CWP No. 3207 of 2018
Date of Decision: 4.4.2018**

Karambir @ Sonu

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Manish Soni, Advocate, for the petitioner
Mr. Saurabh Mohunta, DAG, Haryana

RAKESH KUMAR JAIN, J.

The petitioner is a life convict, presently lodged in the Central Jail, Hisar-I, has prayed for his release on parole for a period of three weeks in terms of the provisions of Section 3(1)(a) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 (for short 'the Act') on the ground that his father Satbir Singh is chronically ill as he is suffering from throat cancer.

It is submitted that the brother of the petitioner, namely, Jasbir Singh is blind. The petitioner wanted to meet his father who is on the last stage of his life and had made an application to the Superintendent, Central Jail, Hisar, on 16.1.2018 but the same was not forwarded to the District Magistrate, Jhajjar, as the petitioner belongs to District Jhajjar, for the purpose of grant of parole.

The petitioner had filed Criminal Writ Petition No.145 of 2018 on 1.2.2018 for seeking parole but by an order dated 6.2.2018, the Hon'ble Division Bench of this Court opined that such type of cases can only be filed

by way of civil writ petition and not by way of criminal writ petition and thus, registry was directed to assign it a new number as civil writ petition.

Accordingly, the present Civil Writ Petition has given CWP No.3207 of 2018 and is listed before this Court. After notice, the respondents have not filed the reply despite the fact that last opportunity was granted on 2.4.2018 and the case was kept in Urgent List keeping in view the urgency involved.

After hearing learned counsel for the parties and taking into consideration the evidence brought on record about the treatment of the father of the petitioner that he is suffering from throat cancer, I am of the considered opinion that the petitioner deserves to be released on parole to meet his father.

Accordingly, the writ petition is hereby allowed and the petitioner is directed to be released on parole immediately on his furnishing bail bonds to the satisfaction of District Magistrate, Jhajjar.

It is made clear that the period of parole is three weeks which will start from the date of his release from the jail. The petitioner is further directed to surrender to the Jail authorities on the date on which the period of parole would come to an end.

(RAKESH KUMAR JAIN)
JUDGE

4.4.2018
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No