

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

CWP No.3315 of 2018

Date of decision : 16.02.2018

Ramesh alias Ajay

.....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Sanjeev Majra, Advocate for the petitioner.

Mr. S. S. Mann, Senior DAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

This petition has been filed under Article 226/227 of the Constitution of India read with Section 3 (1) (b) and 2 (b) of the Haryana Good Conduct of Prisoners (Temporary Release) Act, 1988 for direction to respondent-State to grant parole to the petitioner for a period of four weeks to enable him to solemnise his own marriage which is fixed for 18.02.2018.

The petitioner was convicted in case FIR No.123 dated 30.04.2008 under Sections 302, 397, 396, 307 IPC and Section 25/54/59 of Arms Act registered at Police Station Punhana, Distt. Mewat. He has been sentenced to undergo rigorous imprisonment for life by the learned trial Court against which Criminal Appeal No.1456-DB of 2015 has been filed which is still pending before this Court.

The petitioner has already undergone actual sentence of 05

years and 02 months and there was no complaint against him by the jail authorities. Even during trial also, he attended the Court proceedings regularly. He has also placed on record wedding card.

Learned counsel for the petitioner submits that a representation/application was moved by the petitioner to the Superintendent, District Jail, Faridabad on 01.02.2018 but no action has been taken.

Learned State counsel submits that both the parties are residents of the same village as is clear from the wedding card and factum of marriage is to be verified as the petitioner belongs to State of Uttar Pradesh.

Since marriage is stated to be fixed on 18.02.2018 and notice of motion was issued on 12.02.2018 for today. Learned counsel for the petitioner has handed over a copy of *dasti* notice duly served upon respondent No.2 in the Court today.

By considering the submissions made by learned counsel for the parties and also the fact that marriage is fixed on 18.02.2018, the petitioner, who is confined in District Jail, Faridabad, is allowed parole for a period of two days but in police custody. It is also directed that the police personnel be sent in civil dress. Superintendent of District Jail, Faridabad is directed to make necessary arrangement. He is also directed to take action on representation dated 01.02.2018 in accordance with law within a period of one week for further extension of parole for two weeks, after verifying the factum of marriage and also as to whether the petitioner is involved in

any other criminal case or not. After verifying the aforesaid facts, the issue of parole be considered for further period of two weeks.

Copy of this order be given to learned counsel for the petitioner under signature of the Bench Secretary of this Court.

16.02.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No