

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

CWP No.6902 of 2018

Date of Decision: 21.03.2018

Krishna

....Petitioner

Versus

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Randeep S. Dhull, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

DAYA CHAUDHARY, J. (ORAL)

The present petition has been filed under Articles 226/227 of the Constitution of India for grant of parole to the petitioner as per provisions of Sections 3(1)(b) and 3(2)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 to attend the marriage of her sister's son, which is scheduled on 23.03.2018 and 24.03.2018.

Learned counsel for the petitioner submits that the petitioner has undergone more than five years of actual sentence and earlier she never misused the concession of parole. Even during trial also, such like concession was never misused by her. Learned counsel also submits that the presence of the petitioner is required to attend certain ceremonies at the time of marriage. She also undertakes to abide by all terms and conditions to be imposed by this Court or by the jail authorities.

In response to notice of motion, learned State counsel has sought instructions by way of written communication dated 21.03.2018 and a photocopy of said letter has also been produced before this Court, wherein, the factum of marriage has been affirmed. It has also been

mentioned in the said letter that the convict had applied for furlough and her case has been sent to District Magistrate, Sonapat for consideration. It has further been mentioned therein that the petitioner has availed parole/furlough seven times in the past and there has not been any complaint against her. It has also been mentioned that her case does not fall in the category of hardcore prisoner. However, it has been mentioned that no application was moved by her and only the application for furlough was made, which is under process. The factum of marriage of petitioner's sister's son and date of marriage have been verified and affirmed by Station House Officer, Police Station, Sonapat.

Learned State counsel has not disputed the submissions made by learned counsel for the petitioner with regard to availing of furlough and in not misusing that concession.

Accordingly, by considering the submissions made by learned counsel for the petitioner, the present petition is allowed and the petitioner is directed to be released on parole for a period of two weeks i.e from 22.03.2018 to 04.04.2018. She is directed to be released on parole from 22.03.2018 to 04.04.2018 subject to the satisfaction of District Magistrate, Sonapat. Petitioner is also directed to surrender before the jail authorities on expiry of period of two weeks i.e on 05.04.2018.

The petition is disposed of accordingly.

A photocopy of this order be given *dasti* under the signatures of Special Secretary attached to this Court.

21.03.2018

gurpreet

Whether speaking/reasoned

Whether Reportable

(DAYA CHAUDHARY)
JUDGE

Yes/No

Yes/No