

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

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**CWP No. 7656 of 2018
Date of Decision: 4.4.2018**

Shyam Lal

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. S.S. Duhan, Advocate, for the petitioner
Mr. Saurabh Mohunta, DAG, Haryana

RAKESH KUMAR JAIN, J.

The petitioner is a life convict, presently confined in District Jail, Rohtak. He has been convicted and sentenced under the provisions of Section 376 (2) (n) of the IPC to suffer life imprisonment for the remainder of his life. His appeal against the order of conviction and sentence is pending in this Court.

The petitioner has applied for parole to attend the marriage of his sister's daughter which is to be held on 18.4.2018. The application made by the petitioner to the Superintendent, District Jail, Rohtak on 8.3.2018 which was not decided in either way. Therefore, he has filed this petition in which after notice, State has filed reply and testified the factum of marriage as alleged by the petitioner.

Learned counsel for the petitioner has submitted that as per Section 3 (1) (b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 (for short 'the Act'), the petitioner is entitled for parole because it is

provided therein that the convict can ask for parole to attend the marriage of his sister's daughter as well.

Taking into account the aforesaid facts and circumstances and the fact that the petitioner is not involved in any other offence, much less any jail offence, for which no separate FIR has been registered, I am of the considered opinion that the petitioner deserves to be released on parole for three weeks to attend the marriage of his sister's daughter.

Accordingly, the writ petition is hereby allowed and the petitioner is directed to be released on parole forthwith for three weeks subject to his furnishing bail bonds to the satisfaction of the Superintendent, District Jail, Rohtak.

The petitioner is directed to surrender to the Jail authorities after the expiry of the parole period.

(RAKESH KUMAR JAIN)
JUDGE

4.4.2018
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No