

In the High Court of Punjab and Haryana at Chandigarh

CWP No.9208 of 2018

Date of decision: September 11, 2018

Anubhav @ Guddu

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Anoop Singh Sheoran, Advocate for the
petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed under Section 3 (1) (b) of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 seeking parole for house repair. The petitioner is in District Jail, Jhajjar suffering life sentence in a case registered vide FIR No.158 dated 01.08.2010, under Sections 302 of IPC and 27 of the Arms Act. The prayer made by the counsel for the petitioner for parole has been declined on the ground that there are persons in his family who may get the house repaired and there is apprehension if the petitioner is released on parole, then he may abscond or commit another heinous crime.

Learned counsel for the petitioner has submitted that the petitioner has earlier been released on parole 10 times, which is evident from Annexure R-2, for various purposes and has always surrendered on the due date.

Learned counsel for the respondents has vehemently

opposed the prayer made by the counsel for the petitioner on the same ground that in case the petitioner is released on parole, then he may abscond and commit another serious crime.

I have heard learned counsel for the parties and found that the petitioner has been released 10 times earlier on parole or furlough for various purposes and had always surrendered in time. Therefore, the apprehension is not well established. Furthermore, it is also not a ground to decline that there is already his wife and two minor children at home, who would get the house repaired.

Thus, in my considered opinion, the prayer made by the petitioner is meritorious. Therefore, the writ petition is hereby allowed and a direction is issued to release the petitioner on parole for three weeks after his furnishing bail bonds to the District Magistrate, Jhajjar, who would impose appropriate conditions in the order of bail for seeking surrender of the petitioner on time after completing the period of parole.

(RAKESH KUMAR JAIN)
JUDGE

September 11, 2018

jt

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No