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

**CWP No.9618 of 2018
Date of decision:08.05.2018**

Amarjit ...Petitioner
Versus
State of Haryana and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Randeep S. Dhull, Advocate,
for the petitioner.
Mr. Saurabh Mohunta, DAG, Haryana.

Rakesh Kumar Jain, J. (Oral)

The petitioner is aggrieved against the order dated 05.04.2018, by which the Commissioner, Hisar Division, Hisar, while accepting the request of the petitioner for grant of parole, has directed the District Magistrate to release the petitioner on parole after taking guarantees of Govt. Servant/Panch/Sarpanch or elected local bodies Members.

Counsel for the petitioner has referred to Rule 11 of the Haryana Good Conduct Prisoners (Temporary Release) Rules, 2007 (hereinafter referred to as the "Rules") to contend that in case of the convicts of the offences of murder or any other heinous crime, surety shall be from one lac rupees to two lac rupees as per the discretion of releasing authority accepting the surety bonds etc. It is submitted that there is no condition in the Rules that the guarantee has to be taken from a Govt. Servant/Panch/Sarpanch or elected local bodies Members. The petitioner has justified his stand by submitting that

in case of refusal by the Govt. Servant/Panch/Sarpanch or elected local bodies Members for standing as a surety for him, he would not be in a position to get himself released on parole.

Since the contention raised by the petitioner seems to be logical, therefore, the condition imposed in the impugned order dated 05.04.2018 is hereby set aside and it is directed that the petitioner shall be released on parole for the period mentioned in the impugned order on furnishing the surety of his family member, who is a local resident of Charkhi Dadri, to the District Magistrate, Charkhi Dadri.

May 08, 2018
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(Rakesh Kumar Jain)
Judge

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