

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

CWP-444-2019 (O&M)

Date of decision : 16.7.2019

Chanderpal @ Sonu

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

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

Mr. Sandeep Vashisth, DAG, Haryana.

KULDIP SINGH, J.

Short reply by way of affidavit of Sewa Singh Deputy Superintendent, District Jail, Rohtak, filed on behalf of respondents in Court today is taken on record.

Petitioner has impugned the order dated 19.12.2018 (Annexure P-1), passed by the Commissioner, Rohtak Division, Rohtak vide which prayer of the petitioner for grant of four weeks' parole for house repair was declined.

Heard.

It comes out that petitioner was convicted in FIR 326 dated 03.08.2011, under Sections 302, 149 of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station Sadar Bahadurgarh, District Jhajjar and sentenced to undergo rigorous imprisonment for life by learned Additional Sessions Judge, Jhajjar.

A perusal of the reply and the additional information sought by this Court show that petitioner was released on interim bail for 13 days from 2.6.2016 to 19.6.2016. He surrendered three days late. Further, during the said period, he was booked in FIR No. 233 dated 6.6.2016, under Sections 25/54/59 of the Arms Act registered at Police Station Sampla. He is stated to have been acquitted in the said case.

Further, the petitioner was released on agricultural parole for 42 days i.e. from 14.10.2017 to 26.11.2017. However, during the said period, just after the 16 days, he was arrested by the police in case FIR No. 597 dated 27.10.2017 under Sections 307/506/34 of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station Sampla, Rohtak which shows that petitioner has misused the agricultural parole. He is stated to be on bail in the said case.

Learned counsel for the petitioner contends that petitioner was granted emergency parole for six days from 23.4.2019 to 30.4.2019 by this Court on account death of his father and that he surrendered on time.

I am of the view that conduct of the petitioner shows that he has misused the earlier parole and he is alleged to have committed a serious offence of attempt to murder. The emergency parole was on account of the death of his father. Therefore, considering the past conduct of the petitioner, he cannot be released on parole for house repair.

Dismissed.

(KULDIP SINGH)
JUDGE

16.7.2019
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No