

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 746 -2019(O&M)

Date of decision: 22.07.2019

Karan Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Prateek Rathee, Advocate for the petitioner
Mr.Sandeep Vashisht, DAG Haryana

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Reply not filed. In terms of the last order arguments heard.

Reasoning given in the impugned order is taken to be reply of the State.

Petitioner has impugned the order dated 31.10.2018 (Annexure P1) passed by the Commissioner, Rohtak Division, Rohtak, vide which, prayer of the petitioner for agricultural parole was declined.

Perusal of impugned order shows that according to the authorities, 9 cases were registered against the petitioner, out of which, he has been acquitted in 8 cases. He had jumped parole for 27 days in June 2010, during which period, two cases were registered against him and he has been acquitted in one case. It is further observed by the authorities that his brother was capable of doing agricultural works. Police has also made

adverse report stating that the petitioner can abscond and can commit heinous crime.

Perusal of the custody certificate shows that after the year 2010, from the year 2012 to 2016, petitioner has been granted parole six times. Every time he surrendered within time. He was granted furlough two times after the year 2010 and he surrendered within time. Therefore, the plea that the petitioner will abscond and misuse the parole is not sustainable in the eyes of law. Hence, the impugned order dated 31.10.2018 (Annexure P1) is hereby quashed. Petitioner is ordered to be released on agricultural parole for six weeks on furnishing adequate surety to the satisfaction of the District Magistrate concerned.

Petition is allowed accordingly.

22.07.2019

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No