

CWP-5398-2019

[1]

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

**CWP No.5398 of 2019 (O&M)
Date of decision: March 05, 2019**

Yaad Ram @ Yadu @ Pappu

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavata, AAG, Haryana.

HARINDER SINGH SIDHU, J.

The petitioner has filed the present petition seeking his release on emergency parole for two weeks to enable him to attend the marriage of his daughter - Poonam, which is fixed for 08.03.2019 and to perform other rites and rituals in connection therewith.

Vide judgment and order dated 21.2.2009 passed by the Additional Sessions Judge, Panipat, the petitioner had been convicted and sentenced to undergo life imprisonment in FIR No.83 dated 1.4.2004 under Sections 460/34 IPC and Section 25 of the Arms Act, registered at Police Station Chandni Bagh, District Panipat. His appeal against his conviction and sentence was dismissed by this Court vide judgment dated 29.7.2013. He is undergoing sentence at District

The wife of the petitioner had submitted an application on 8.2.2019 to the respondents for grant of emergency parole to enable him to attend the marriage of his daughter, which is fixed for 8.3.2019. As no decision was taken on the application, the instant petition has been filed.

Notice of motion was issued. In response thereto, learned State counsel has placed on record short reply by way of an affidavit of Sanjay Bangar, Deputy Superintendent of Prison, District Prison, Karnal. It states that the wife of the petitioner Shakuntla Devi had submitted an application for grant of parole, which was forwarded to the District Magistrate, Jhajjar for report/recommendation on 23.2.2019. The reply further states that a communication dated 1.3.2019 (Annexure R-1) has been received from the office of the Commissioner, Karnal Division, Karnal, who is the competent authority to grant parole, that since Model Code of Conduct of Election is going to be operative in near future, therefore, no report of parole or furlough be sent to the said office.

Neither the fact of solemnization of marriage of the daughter of the petitioner is denied in the reply, nor any substantial objection to grant of parole has been taken therein.

The marriage card of the daughter of the petitioner is annexed with the petition as Annexure P-2, which fact has been verified by the report of the Municipal Councillor vide his letter dated 6.2.2019 (Annexure P-3).

Considering the above, it is a fit case for grant of parole to enable the petitioner to attend the marriage of his daughter.

Ordinarily, such a case for grant of parole would have been disposed of with a direction to the respondents to consider the case of the petitioner

expeditiously.

However, considering the urgency of the situation and that the marriage of the daughter of the petitioner is fixed for 8.3.2019, it is directed that the petitioner be released on parole for ten days i.e. from 06.03.2019 to 16.03.2019 subject to his furnishing surety bonds to the satisfaction of the CJM/Duty Magistrate concerned. He shall surrender before the Jail Authorities on or before 5.00 PM on 16.03.2019.

A copy of this order be supplied to learned counsel for the petitioner under the signatures of the Bench Secretary.

March 05, 2019

(**HARINDER SINGH SIDHU**)
JUDGE

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No