

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

**CWP-9316-2019 (O&M)
Date of decision : 8.4.2019**

Kuldeep and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. K.B.S. Mann, Advocate for the petitioners.

KULDIP SINGH, J.

Heard.

Petitioners seeks four weeks parole under Section 3 (1) (b) of the Haryana Good Conduct Prisoners (Temporary Release), Act, 1988 on the ground to attend the wedding of his brother, which is fixed for 16th-17th April, 2019.

Learned counsel for the petitioners contends that petitioners have already moved an application before respondent No. 4-Superintendent, District Prison, Karnal but no action has been taken on the said application on account of Election Code of Conduct issued by Election Commission of India.

Notice of motion.

On the asking of the Court, Mr. R.K. Singla, AAG Haryana, present in Court, accepts notice.

Learned counsel for the petitioners relies upon an authority of this Court in *Hawa Singh vs. State of Haryana and others 2012 (2) RCR Criminal, 58*, and expresses that for the purposes of parole, State can consult the Election Commission of India before releasing the petitioners.

In the circumstance, present petition is disposed of with a direction to respondents to process the application filed by the petitioners and if they decide to release the petitioners, they can consult the Chief Electoral Officer before granting parole in terms of the decision taken in *Hawa Singh's case (surpa)*.

Disposed of.

(KULDIP SINGH)
JUDGE

8.4.2019
preeti

Whether speaking / reasoned
Whether Reportable:

Yes/No
Yes/No