

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9697-2019 (O&M)
Date of decision : 28.5.2019

Sagan Kumar Petitioner
Versus
State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH
Present:- Mr. Narinder Singh Behgal, Advocate for the petitioner.
Mr. Sandeep Vashisth, DAG, Haryana.

KULDIP SINGH, J.

Heard.

Petitioner seeks quashing of the impugned order dated 27.3.2019 (Annexure P-10), passed by Superintendent Jail, District Jail Rohtak vide which prayer of the petitioner for parole was declined on the ground that petitioner is a hard core prisoner and a cell phone has been recovered from him on 15.5.2017.

Learned State counsel has filed the reply dated 28.5.2019 by way of affidavit of Sewa Singh, Deputy Superintendent, District Jail Rohtak. The same is taken on record. In the reply details of the parole and furlough availed by the petitioner is mentioned as under: -

Sr. No.	Leave Details	Days	Date From	Date to	Remarks
1	Agriculture Parole (granted by Hon'ble High Court)	14	10/09/18	25/9/2018	Surrendered 28 minutes late
2	Agriculture Parole (granted by Hon'ble High Court)	14	05/05/18	20/5/2018	Returned on time
3	Agriculture Parole	42	27/2/2017	11/04/17	-do-
4	House Repair Parole	28	07/06/16	06/07/16	-do-

Sr. No.	Leave Details	Days	Date From	Date to	Remarks
5	Agriculture Parole	42	18/2/2016	01/04/16	-do-
6	House Parole	28	12/02/13	13.3.2013	-do-
7	Agriculture Parole	42	23/8/2012	05/10/12	-do-

It goes to show that even if there was recovery of mobile phone, the petitioner was granted agricultural parole by this Court on 10.9.2018. All the time he was granted parole and he returned in time.

Accordingly, impugned order dated 27.3.2019 (Annexure P-10), passed by Superintendent Jail, District Jail Rohtak is set aside. Petitioner is directed to be released on parole for a period of four weeks to look after his family and attend the domestic urgencies on his furnish surety bonds to the satisfaction of District Magistrate concerned.

Petition stands allowed.

(KULDIP SINGH)
JUDGE

28.5.2019
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Whether speaking / reasoned	Yes
Whether Reportable:	No