

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

**CWP No. 11925 of 2019
Date of decision : 10.05.2019**

Dhanraj Petitioner

versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ravinder Bangar, Advocate for the petitioner.

Mr.Sandeep Vashisht, DAG, Haryana.

KULDIP SINGH, J. (ORAL)

Reply by way of affidavit of Superintendent, District Jail, Gurugram has been filed by learned State Counsel in Court today and the same is taken on record.

Heard. The grouse of the petitioner is that he had applied for four weeks' parole for house repairs. His request had been accepted and his warrants for temporary release were issued on 16.04.2019. Respondent No.6 namely District Magistrate, Chittorgarh, Rajasthan has submitted the report to respondent No.3 that the petitioner cannot be released on parole on account of model code of conduct as the election process in Chittorgarh, Rajasthan is yet to compete. The plea of the petitioner is that the election in Rajasthan have already taken place on 06.05.2019 and will be held in Haryana on 12.05.2019. Therefore, there is no harm if the petitioner is released on parole. The State has filed the reply stating therein that in case petitioner is to be released on parole, the proposal has to be sent to the

Election Commission through Administrative Secretary with full justification.

I am of the view that voting has already taken place in Rajasthan and voting in Haryana will take place on 12.05.2019. Thereafter counting of votes would take place on 23.05.2019 in the whole country. Since the voting is already complete in Rajasthan and is yet to take place in Haryana, therefore, this petition is allowed to the extent that the petitioner will be released on parole on 13.05.2019, as per the release warrants earlier issued.

Petition is allowed to the above extent only.

(KULDIP SINGH)
JUDGE

10.05.2019
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No