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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2019 15:55
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CWP-12238-2019 (O/M)
Date of decision : 9.5.2019

Akshay Kumar

..... Petitioner (s)

Versus

State of Haryana and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Prateek Rathee, Advocate,
for petitioner.

Mr. Sandeep Vashisht, DAG Haryana.

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KULDIP SINGH, J. (ORAL)

Petitioner seeks three weeks parole under Section 3 (1) (a) of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, for performing last rites of his father who expired on 4.5.2019. He has already moved application dated 4.5.2019 (Annexure-P-2) before Superintendent, District Jail, Jhajjar.

The learned counsel for petitioner contends that no order is being passed on said application on the ground that petitioner has not completed one year of imprisonment and that Model Code of Conduct is in operation due to General Elections in country.

In these circumstances, petition is disposed of with directions to respondents to process application of petitioner and pass a speaking order within three days. If the authorities decide that petitioner is entitled to parole and permission of Election Commission is required, they shall move Election Commission immediately through e-mail for permission to pass order. Copy of order be given dasti to learned State counsel for compliance and to learned counsel for petitioner also, under signatures of Bench Secretary, attached to Court. The petitioner can always produce

judgment of this Court to contend that there is no necessity to undergo one
year imprisonment in such emergency parole cases.

(KULDIP SINGH)
JUDGE

9.5.2019
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No