

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 16.11.2019****CWP No.13711 of 2019**

Satender

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. Sushil Sheoran, Advocate,
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. This petition has been filed by the petitioner for grant of parole for agricultural purposes. His request for parole has been declined by the District Magistrate, Charkhi Dadri vide order dated 15.03.2019 (Annex P-1).
2. The petitioner is undergoing life imprisonment in case FIR No.15 dated 15.02.2014 pursuant to the judgment of conviction and order of sentenced rendered by the Additional Sessions Judge, Narnaul on 01.10.2016.
3. Reply on behalf of respondents has already been filed. Learned Law Officer on the basis of reply filed submits that the petitioner is a habitual offender and other than the present case, numerous cases have been registered against him. Thus, there is possibility that if the petitioner be released on parole, he may abscond and may commit any of the heinous

crimes from which there can occur danger to internal security of state and cause disturbance to law and order.

4. Having heard learned counsel for the parties and after going through the case file carefully, I am of the view that this is not a case in which parole should be denied to the petitioner. The parole can be granted for the agriculture purpose and to socialize the convict with his family members and the society. The only ground taken is that if the petitioner is released on parole, there is possibility that he may abscond and may be involved in some other offence. To allay the apprehension, adequate conditions can be imposed on him and his conduct can be kept under watch in case parole is granted. A certificate from Gram Panchayat, kheri Bura (Charkhi Dadri) is also annexed with the petition as Annex P-2. The Gram Panchayat states that petitioner's father is 80 years of age and mostly remains ill. His wife being illiterate can only take care of minor children and there is no one to do the agriculture work. In the impugned order as well as in the reply, it has not been reported that the conduct of the petitioner in jail is not satisfactory and his reports in the jail are not good. No doubt, other than the present one, numerous cases have been registered against the petitioner, but in all the cases, the petitioner has been acquitted. Thus, my view is that the benefit of temporary release by way of parole is admissible.

5. In view thereof, the petition is allowed and the impugned order dated 15.03.2019 is set aside. Petitioner is ordered to be released on parole for six weeks to the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as may be required in the Jail Manual toward the ends of securing the presence of the petitioner in jail after

the period of parole is over and done with and the temporary release is not misused.

16.11.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>