

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15544-2019 (O&M)

Date of decision : 2.7.2019

Parvinder

..... 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 Vashisth, DAG, Haryana.

KULDIP SINGH, J.

Petitioner seeks four weeks parole for admission of his minor daughter in nursery class.

Heard.

It comes out that petitioner has been convicted and sentenced for life imprisonment in case FIR No. 142 dated 13.6.2015, under Sections 302, 120-B, 34 IPC, registered at P.S. Farrukh Nagar, District Gurugram. The appeal filed by the petitioner (CRA-D-407-DB-2019) is pending before this Court.

A perusal of the speaking order dated 21.5.2019 passed by Superintendent, District Prison, Gurugram shows that the petitioner has not completed one year of imprisonment after conviction and has also not earned the first annual good conduct remission as required under Section 4(1) of the Haryana Good Conduct Prisoners (Temporary Release)

Amendment Rules, 2007. A prisoner can apply for parole only after he completes one year of imprisonment after conviction. Further the impugned order shows that two mobile phones have been recovered from the petitioner on 07.02.2018. Hence, he is treated to be a hard core prisoner, therefore, he cannot be released on parole/furlough unless he completes five years of imprisonment which can include maximum of two years imprisonment during trial subject to result of trial for recovery of mobile phones. Petitioner does not complete the said parameters.

The wife of the petitioner is there and the petitioner belongs to a village in District Jhajjar where there is no problem of admission in nursery class by the wife of the petitioner.

In view of above, no ground is made out to grant parole to the petitioner.

Dismissed.

(KULDIP SINGH)
JUDGE

2.7.2019
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Whether speaking / reasoned
Whether Reportable:

Yes
No