

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

**CWP-20284 of 2019**

**Date of Decision: 20.08.2019**

Sukhwinder @ Shoki

... Petitioner

Vs.

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present : Mr.Pawan Kumar Hooda, Advocate  
for the petitioner.

Mr. Sandeep Vashisht, D.A.G. Haryana.

**RAJIV NARAIN RAINA, J. (Oral)**

1. Written statement filed by the State in Court today is taken on record. Copy thereof stands supplied to learned counsel for the petitioner. He has gone through the same.

2. The petitioner has impugned order dated 21.06.2019 (Annex P-3), passed by the Superintendent, District Jail, Yamuna Nagar, vide which the prayer of the petitioner for parole was declined.

3. The petitioner was convicted and sentenced to undergo life imprisonment under Sections 302, 307, 394, 365 & 34 IPC in case FIR No.360 dated 10.12.2004 registered at Police Station, Mahendergarh.

4. Learned counsel for the petitioner submits that son of the petitioner is studying in 10+2 class and for the admission of his son in the next session he requires the benefit of parole so that he may be able to arrange funds for the admission of his son.

5. The impugned order reveals that the case of the petitioner was considered for parole for admission of his son. It was observed in the impugned order that while the petitioner was previously on agricultural

parole for six weeks, a case under Sections 148/149/341/427/506 IPC was got registered against him. On this ground, parole case of the petitioner was declined by respondent No.4. In reply also the ground for rejection of request of the petitioner has been reiterated.

6. Having heard learned counsel for the parties, I am of the view that this is not a case in which parole should be denied to the petitioner. No doubt, a criminal case has been registered against the petitioner while he was on parole in the month of February, 2019. But it is not disputed that the petitioner surrendered in time after availing of parole period. There is no report in the impugned order or written statement that the release of the petitioner on parole would involve security of the State or danger to society. Moreover, Gram Panchayat of village Ritauli has also recommended the case of the petitioner for parole certifying that there is no chance of apprehension of breach of peace if he may be released on parole. The Gram Panchayat also certified that the petitioner had spent peacefully days when he came 11 times earlier in the village on parole. Certificate of Gram Panchayat has been placed on record as Annexure P-2.

8. In view of the above, the petition is allowed. The impugned order dated 21.06.2019 (P-3) is quashed. The petitioner is granted parole for four weeks from the date of release to the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as are required to secure the presence of the petitioner in jail after the period of parole, is over and done with.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**20.08.2019**  
sandeep

Whether speaking/reasoned  
Whether reportable

Yes  
Yes/No