

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 12.09.2019****CWP No.21091 of 2019**

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...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjeev Majra, Advocate, for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. This petition has been filed challenging the order dated 12.06.2019 passed by the Commissioner, Rohtak Division, Rohtak by which request of the petitioner for parole for admission of his children was declined.

2. The petitioner is undergoing five years sentence under Section 392/34 452/34 IPC in case FIR No.387 of 1998, registered at Police Station Butana, District Karnal pursuant to the judgment of conviction and order of sentence dated 04.07.2016.

3. Having heard learned counsel for the parties and after going through the case file carefully, I am of the view that no doubt, no person is entitled to be released under the Act and the release of a prisoner on parole/furlough can be declined in case his release on parole is likely to endanger the security of the State or the maintenance of public order. To allay the apprehension, adequate conditions can be imposed on him and his conduct can be kept under watch in case parole is granted. However, no such eventuality has been mentioned either in the impugned order or in the arguments raised by learned State counsel. The observation recorded in the impugned order for not releasing the petitioner on parole is merely

that many criminal cases were registered against him. 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.

5. In view thereof, the petition is allowed and the impugned order dated 12.06.2019 is set aside. Petitioner is ordered to be released on 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 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.

12.09.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

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