

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-27453-2019

Date of Decision:-24.09.2019.

Rafik

.....Petitioner

Versus

State of Haryana and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

RAJIV NARAIN RAINA, J. (Oral)

1. Prayer in this petition is for extension of parole granted to the petitioner by the Divisional Commissioner, Rohtak vide its order dated 14.08.2019 (P-1). The petitioner was granted parole for a period of 15 days from 10.09.2019 to 25.09.2019 on ground of repair of house.

2. Learned counsel for the petitioner submits that the petitioner has been granted the benefit of temporary parole only for 15 days though the provisions of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 envisaged four weeks parole for house repairs. He further submits that it is likely to take more than four weeks for the petitioner to complete the renovation/ repairs of the house and prays that period of parole of the petitioner be extended.

3. The petitioner was convicted and sentenced to undergo rigorous imprisonment for 20 years in FIR No. 253 dated 24.07.2013 under

Sections 376-D and 120-B IPC.

4. Having heard learned counsel for the petitioner and considering the provisions, I am of the view that the petitioner is not entitled to extension of parole. It is not a vested right. It is a concession granted by the Government to temporarily release the prisoner on parole or on furlough. However, nobody can insist that he is entitled to the same as a matter of right.

5. In view of the above, no ground for interference is made out where the conviction is for gang rape. Prayer for extension of parole is declined. The petition is dismissed directing the petitioner to surrender before the jail authorities after his parole period is over.

(RAJIV NARAIN RAINA)
JUDGE

September 24, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.