

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

**CWP No. 29349 of 2019
Date of Decision: 14.10.2019**

Ramesh Singh

...Petitioner

Vs.

The State of Haryana and others

...Respondents

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

Present: Mr. Susheel Gautam, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

Issue notice of motion.

Mr. Kapil Bansal, DAG Haryana accepts notice on behalf of
respondents/State of Haryana.

On perusal of history of parole and furlough granted to the
petitioner from 29.03.2012 to 22.07.2019, 22 times either to be with his
family, for admission of children, for agricultural purposes and twice by
reason of emergency, there have been periods of furlough and parole
spaced not too far in period from each other in the same year. A cursory
look at the details of parole and furlough availed by the petitioner in
Annex.P-2 is sufficient to convince the Court that the recommendation
of the District Magistrate, Panipat was fair and reasonable in favour of
the petitioner but the same has been erroneously declined by the
Commissioner, Karnal Division perhaps for lack of having been

informed of the history and has declined the request only because petitioner has got furlough for a period of two weeks from 22.07.2019 till 06.08.2019 and as if that parole too soon after furlough was not appropriate.

Going by the action of the Deputy Superintendent, District Jail, Panipat (Annex. P-2) this Court has no doubt that the order of the District Magistrate deserves to be upheld and Commissioner, Karnal Division, Karnal requires to be set aside.

Accordingly, the petitioner is granted parole for six weeks so that he can celebrate Diwali with his family, 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.

Ordered accordingly.

(RAJIV NARAIN RAINA)
JUDGE

14.10.2019

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*