

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANIDGARH

112

CWP No.32199 of 2019 (O&M)

Date of Decision: 06.11.2019

Dharamender

..... Petitioner

Versus

State of Haryana and others

..... Respondents

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

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

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**RAJIV NARAIN RAINA, J (ORAL)**

Notice of motion.

On the asking of Court, Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondents. A copy of the paper book has been supplied to learned State counsel.

The impugned order passed by the Collector, Jhajjar dated 07.08.2019 proceeds on the misconception that the prisoner was sentenced to life imprisonment. Had the Collector, Jhajjar read the judgment of sentence and conviction, he would have known that the petitioner has been sentenced to 7 year imprisonment for commission of offence under Section 307 read with Section 34 of the Indian Penal Code. This factual ingress appears to have resulted in the rejection of the request of the petitioner for parole and the work of the Collector, Jhajjar cannot be reconciled with the record. Accordingly, a writ of certiorari is issued quashing the order of Collector, Jhajjar dated 07.08.2019 and remanding the case for fresh

consideration after taking into account relevant factors in the mode of parole as settled by this Court in a number of judgments of which I am sure that he must be well acquainted. It is expected that the Collector, Jhajjar will work in terms of the time line fixed in the Haryana Government circular dated 15.12.2016.

The writ petition is partly allowed to the above limited extent.

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

**06.11.2019**  
D.Bansal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No