

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

CWP-33210-2019

Date of Decision: 19.11.2019

Daljeet @ Jaljeet

... Petitioner

vs.

State of Haryana and Ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present : Mr. Amit Kohar, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

RAJIV NARAIN RAINA , J.(ORAL)

1. This petition has been filed for quashing of impugned order dated 13.11.2019 (P.5), passed by the Jail Authorities rejecting the request of the petitioner for grant of parole to enable him to get treatment of his ailing father.

2. The petitioner was convicted and sentenced to undergo rigorous imprisonment for five years in case FIR No. 80 dated 23.02.2016 under Sections 147, 148, 341, 332, 353, 186, 188, 435, 34 IPC and Section 33 of the Forest Act, registered at Police Station Sadar Hansi, District Hisar and when this sentence is over, he will remain in jail for life for committing murder. This is so because the two sentences had to run consecutively and not concurrently.

3. Reply has been filed by the State counsel in Court today which is taken on record. Learned State counsel submits that the father of the petitioner has been advised Coronary Artery Bypass Graft (CABG) and the patient is being referred to AIIMS, Delhi for further management. The medical situation demands the presence of the

petitioner with his father.

4. In view of this medical opinion and all other factors being consistent to grant parole to the petitioner, this petition deserves to be allowed. The petitioner is allowed the benefit of temporary release by way of parole for a period of four weeks.

5. In view of the above, this petition is allowed. The impugned order dated 13.11.2019 (Annex P-5) is set aside. The petitioner is granted parole for four weeks from the date of his release to the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as may be required to secure the presence of the petitioner in jail after the parole period, is over and done with. He will surrender before the Jail Authorities on expiry of the period of parole.

6. Learned counsel for the petitioner requests that the order may be given *dasti* to him under the signatures of the Bench Secretary since as soon as the petitioner is released on parole, he has to take his father immediately for admission in AIIMS, New Delhi. His request is accepted.

7. Copy of this order be given to the learned counsel for the parties under the signatures of the Bench Secretary.

(RAJIV NARAIN RAINA)
JUDGE

19.11.2019
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No