

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

CWP-33817-2019

Date of Decision: 21.11.2019

Kala Singh @ Kalu and another

....petitioners

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Ms.Neha Dewan, Advocate
for the petitioners

RAJIV NARAIN RAINA, J. (ORAL):

1. Through this petition, the petitioners have sought for issuance of a writ in the nature of mandamus directing the respondents/State to grant the benefit of parole to the petitioners for a period of 15 days to enable them to attend the wedding of their sister's daughter due to be solemnised on 24.11.2019.

2. The petitioners were convicted and sentenced to undergo life imprisonment under Sections 323/324/325/506 and 302 read with Section 34 IPC in case FIR No.84 dated 19.06.2018 registered at Police Station Rajmound, District Kaithal.

3. This parole petition was taken up for hearing in the morning session when Mr.Kapil Bansal, DAG Haryana, was asked to verify the fact whether wedding of daughter of petitioners' sister was fixed for 24.11.2019 (Sunday) at the address in the wedding card (Annex.P1).

4. The factum of marriage has been verified by Mr.Kapil

Bansal, telephonically from Mr.Sukh Ram, Superintendent Jail, District Jail, Kaithal.

5. The petitioners have not completed one year in jail after conviction and the provisions of the Act and Rules are against them for releasing them on parole. The petitioners are serving sentence for life for murder.

6. The request is for emergency parole. The Haryana Good Conduct Prisoners(Temporary Release) Act, 2007, permits temporary release to a convict/s to attend the wedding of the sister's daughter. The petitioners have not committed any jail offence. Filing of written statement is dispensed with in view of urgency of the matter.

7. Accordingly, the petition is allowed. The petitioners will be admitted to temporary release for three days i.e. w.e.f.23.11.2019 to 25.11.2019 to attend the wedding and they shall surrender before the jail authorities on 25.11.2019 at 04:00 PM in terms of the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as are required to secure the presence of the petitioners in jail after the period of parole, is over and done with.

8. A photocopy of the order be given to learned counsel for the petitioner attested by the Bench Secretary of this Court.

21.11.2019
neenu

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No