

CRWP-1512-2019

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

Sr. No.209

CRWP- 1512-2019

Date of Decision: 17.12.2019

SANDEEP

....Petitioner

VS

STATE OF HARYANA AND OTHERS

....Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MRS. JUSTICE ARCHANA PURI**

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

Mr. Vivek Saini, Deputy Advocate General, Haryana.

JITENDRA CHAUHAN, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for setting aside the order dated 17.09.2019 (Annexure P-1) passed by the Commissioner, Karnal Division, District Karnal, whereby the prayer for temporary release on account of agricultural work, was declined by respondent No.2.

Learned counsel for the State has filed reply in the Court today, which is taken on record. It is contended that the petitioner was earlier released on furlough from 25.06.2019 to 10.07.2019 and was directed to surrender on 10.07.2019. The petitioner accordingly surrendered back in terms of the order.

In view of the earlier conduct of the petitioner, the case of the petitioner was recommended for agriculture parole by the District Magistrate, Panipat, after verifying the documents and Respondent No.2 i.e. Divisional Commissioner, Karnal Division, Karnal, has declined the said parole.

Heard.

The petitioner has earlier not misused the concession of parole/furlough. He is entitled to be released on parole particularly in view of the recommendation of District Magistrate. In the circumstances, this Court is inclined to allow this petition. Ordered accordingly.

The petitioner is ordered to be released on parole for a period of four weeks from the date of his release as per Rules on furnishing bonds to the satisfaction of the District Magistrate/Duty Magistrate, Panipat. The petitioner shall surrender before the jail authorities after expiry of four weeks and date of surrender to be noticed by the releasing Court.

(JITENDRA CHAUHAN)
JUDGE

(ARCHANA PURI)
JUDGE

17.12.2019

Himanshu

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No