

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

CRWP-1159-2020

Date of decision: 24.2.2020

Bhim Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Ms.Veenus Malik, Advocate for the petitioner

Mr.Sukhdeep Parmar, DAG, Haryana

JITENDRA CHAUHAN, J.

Prayer in the present petition filed under Articles 226/227 of the Constitution of India is for grant of six weeks parole for the agriculture purpose.

The petitioner was convicted and sentenced by learned trial Court vide its judgment and order dated 9.5.2018 to undergo life imprisonment in case FIR No. 522 dated 23.12.2014 registered under Section 302 read with Section 34 IPC and Section 25 of the Arms Act at PS Sadar Narnaul.

Reply has been filed by the learned State counsel in the Court today. The same is taken on record.

Learned counsel for the petitioner states that except the

widowed sister-in-law and minor children, there is none in the family to carry out the agricultural activities. The case of the petitioner was recommended by District Magistrate, Mahendergarh on 4.12.2019 but was ultimately declined by the competent authority on the ground that there is an apprehension of breach of peace in case parole is allowed to the petitioner.

However, we feel that there is no foundation of recording such an observation as there is neither any application by the complainant nor any circumstance has been stated as to how the release of the petitioner would generate disturbance of peace particularly when the FIR does not pertain to the native village of the petitioner.

Consequently, the present petition is allowed and the petitioner is granted four weeks parole for agriculture purpose, subject to his furnishing bonds with two local sureties to the satisfaction of the competent authority/ Duty Magistrate. The petitioner shall surrender before the jail authorities on the date and time to be notified by the releasing Court/ Duty Magistrate.

However, still in deference to the apprehension expressed by the State Counsel, it is ordered that the petitioner shall not leave his village without written permission of this Court.

[JITENDRA CHAUHAN]
JUDGE

[ARCHANA PURI]
JUDGE

24.2.2020
raman/gsv

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No