

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1405 of 2020
DATE OF DECISION:07.02.2020

Avtar Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. G. C. Shahpuri, Advocate for the petitioner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

LALIT BATRA, J. (Oral)

This is a petition under Article 227 of Constitution of India read with Section 482 Cr.P.C. read with Section 3 (1) (b) of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, for direction to respondents-State to release the petitioner for four weeks emergency parole for the purpose of marriage of his daughter namely Gurpreet Kaur. Petitioner is lodged in District Jail, Yamuna Nagar, having been convicted and sentenced in case FIR No.54 dated 09.04.2001 under Sections 302, 323 and 325 IPC read with Section 34 IPC, registered at Police Station Chhapper, District Yamuna Nagar.

Learned counsel for the petitioner submits that marriage of daughter of petitioner is fixed for 09.02.2020. Marriage invitation cards have been placed on record (Annexures P-1 & P-2).

Learned State counsel submits that as per telephonic confirmation from quarter concerned, marriage of petitioner's daughter is to be

solemnized on 09.02.2020. However, learned State counsel has shown his inability regarding verification of emergency parole of petitioner, if any, from quarter concerned as instant petition has come in supplementary list and that too in the afternoon hours.

In view of above, as marriage of Gurpreet Kaur, daughter of petitioner, is to be solemnized on 09.02.2020 and there is no verification of parole application, if any, moved by petitioner from quarter concerned, in this scenario, instant petition is disposed of with the direction to respondents-State that on 09.02.2020 (Sunday) at 7:00 am sharp, petitioner shall be taken in requisite Police custody from District Jail, Yamuna Nagar, to marriage venue i.e. Sandhu Palace, Pabni Road, Village Chaharwala, District Yamuna Nagar, as shown in the marriage invitation cards, for solemnization of his daughter's marriage and after getting the needful done, petitioner shall be taken back and lodged in District Jail, Yamuna Nagar, and that too well before 7:00 pm on 09.02.2020. In these terms, instant petition moved at the instance of petitioner is disposed of accordingly.

However, it is made clear that above said order shall have no impact on application for parole, if any, moved by the petitioner before the quarter concerned and law will take its own course in respect of said application.

(LALIT BATRA)
JUDGE

07.02.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No