

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

CRWP-1875-2020

Date of decision: 19.2.2020

Satish Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr.RS Gill, Advocate for
Mr.PS Sekhon, Advocate for the petitioner

Mr.Vikrant Pamboo, DAG, Haryana

JITENDRA CHAUHAN, J.

This petition under Article 226 of the Constitution of India read with Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 is for issuance of direction to the respondents to release the petitioner on emergency parole from 20.2.2020 to 6.3.2020 to enable him to attend the last rites of his father, scheduled for 22.2.2020.

In pursuance of the notice of motion order dated 18.2.2020, report of Station House Officer, Police Station City, Tohana has been filed by the learned State counsel. The same is taken on record as Mark 'A'. In the said report, the death of father of the petitioner is duly acknowledged and the last prayer, bhog and the community lunch is slated for 22.2.2020 at City Tohana.

The petitioner has been convicted and sentenced by the learned trial Court vide judgment and order dated 16/18.11.2019 in case FIR No.450 dated 4.10.2016, registered under Section 21-C of the NDPS Act

at Police Station City Tohana. He is presently confined in Central Jail-I, Hisar.

Heard.

The presence of the petitioner at the last rites of the deceased being the son is essential. The petitioner has already undergone two years of actual sentence. There is no apprehension of breach of peace in case the petitioner is released on parole.

In the circumstances, the present petition is allowed and the petitioner is granted emergency parole for two weeks subject to his furnishing surety bonds to the satisfaction of the competent authority/ Duty Magistrate. The petitioner shall surrender before the jail authorities on the date and time to be noticed by the releasing Court/ Duty Magistrate.

[JITENDRA CHAUHAN]
JUDGE

[VIVEK PURI]
JUDGE

19.2.2020
gsv

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No