

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
101

CRWP No. 8970 of 2020

Date of Decision: 3rd November, 2020

Naresh @ Ghisu

....Petitioner

VERSUS

State of Haryana and ors

....Respondent

CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN

Present: Mr. Vishva Nath Sharma, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Ms. Sharmila Sharma, Advocate for the Complainant.

Dr. S. Muralidhar, J.

1. This is a petition challenging an order dated 10th September, 2020 of the Divisional Commissioner, Karnal/Respondent No. 3, declining to grant parole to the Petitioner for a period of 4 weeks for the purpose of house repair.

2. The impugned order of the Divisional Commissioner, Karnal rejecting the Petitioner's application under Section 6 (1) of the Haryana Good Conduct Prisoner (Temporary Release) Amendment Act, 2012, *inter alia* sets out two reasons for the rejection. The first one is that in the revenue record there is no entry regarding the house being in the name of the Petitioner and the second is that the District Magistrate, Sonipat acting on the report of the Superintendent of Police, Sonipat reported that the Petitioner can jump parole and, therefore, there is an apprehension of his endangering public order and security.

3. Although, the impugned order ought to have elaborated on the reasons for the aforementioned apprehension, the Court has had the benefit of

submissions of Ms. Sharmila Sharma, learned Counsel appearing for the complainant. She points out that the Petitioner has been convicted by the trial Court in a double murder case on the basis of direct evidence. She points out that the present Petitioner was summoned in the course of the trial under Section 319 Cr.P.C. after the evidence revealed his involvement. She further submits that in respect of some of the co-accused, whose sentences were suspended, there have been incidents of threat to the complainant and an FIR in respect thereof has been registered.

4. Although, the aforesaid details ought to have been mentioned in the impugned order, in view of these developments, the Court finds no ground to interfere with the impugned order dated 10th September, 2020 of the Divisional Commissioner, Karnal.

5. The petition is dismissed accordingly

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

3rd November, 2020
jk

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No