

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

CRWP-9376-2020

Date of decision: 21.12.2020

Chiman Lal

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Sandeep Kumar Tada, Advocate
for the petitioner.

Mr. Vivek Saini, Addl. AG, Haryana.

AJAY TEWARI, J.(ORAL)

Prayer in this petition is for issuance of writ in the nature of certiorari by quashing the order dated 28.08.2020 (Annexure P-2) passed by learned Divisional Commissioner Karnal Division, Karnal.

It is stated that the petitioner has undergone actual custody of 6 years, 11 months and 15 days as on 24.11.2020 and even if he is a hardcore prisoner, his case for parole has to be considered after he completed 5 years of custody which the present petitioner fulfills.

Learned Additional Advocate General has accepted these factual assertions but states that the case of the petitioner had sent to the Deputy Commissioner, Fatehabad who got an inquiry conducted from the Superintendent of Police, Fatehabad and the local police had expressed apprehension that while on parole, the petitioner may abscond and commit heinous crime. However, no basis has been given for this vague recommendation.

The custody certificate reveals that apart from the present case, the petitioner has also been convicted under Section 195-A of Indian Penal Code as far back as on 21st January, 2016. In the circumstances, we do not deem it appropriate to accept the recommendation and direct the State to reconsider the case of the petitioner and decide the same within two weeks from today.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

21.12.2020
m. sharma

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