

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
101

CRWP No. 10449 of 2020 (O&M)
Date of Decision: 16th December, 2020

Satbir

....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN

Present: Mr. Onkar Rai, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. The Petitioner, by way of the present petition, seeks short-term parole under Section 3 (1) (c) of the Haryana Good Conduct (Temporary Release Act), 1988 only to clear an agricultural loan, for which his signatures are stated to be required. The Petitioner's application for parole for the said purpose was rejected by an order dated 13th October, 2020 of the Divisional Commissioner, Rohtak Division/Respondent No. 2

2. A perusal of the above impugned order dated 13th October, 2020 of the Respondent No. 2, rejecting the Petitioner's request reveals that while it is not disputed that the Petitioner owns an acre of land, a standard line has been added that on release of the Petitioner there is an "apprehension of disturbance of peace in the village". However, there is no indication in the impugned order of the basis for such apprehension. In particular, there is no indication that the Petitioner has misused the benefit of parole that may have been granted to him on earlier occasions.

3. In the circumstances, the Court sees no reason why the Petitioner's request for parole should not have been granted. Accordingly, the impugned order dated 13th October, 2020 of the Respondent No. 2 is hereby set aside. The Petitioner is directed to be released on parole for a period of one week

from the date of his release, subject to the satisfaction of the Jail Superintendent.

- 4. The petition is disposed of in the above terms.
- 5. The order be given *dasti*.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

16th December, 2020
jk

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