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

**CRM-W No.76 of 2020 in/and
CRWP No.1387 of 2019
Date of Decision : 13.02.2020**

Nanu Ram

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Amit Khatkar, Advocate
for the Applicant/Petitioner.

Mr. Manish Bansal, Deputy Advocate General, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

CRM-W No.76 of 2020

For the reasons mentioned in the application, the Applicant/
Petitioner is permitted to place on record Annexure P-3 (collectively),
subject to all just exceptions.

Application stands disposed off.

CRWP No.1387 of 2019

On perusal of the documents [Annexure P-3 (colly.)] filed on
behalf of the Petitioner, it transpires that he was released on Parole twice
for 04 weeks and 06 weeks in the months of June to July and September
to October, respectively, apart from being released on Furlough for 02
weeks in December, 2017 and that in each case, he had surrendered at the
Jail Gate on the stipulated date after expiry of the Parole and Furlough
periods.

2. The Petitioner, therefore, clearly did not misuse the liberty

granted to him for being released on Parole and Furlough on all those occasions in the Year 2017.

3. But his similar prayer in the Year 2018 was declined vide the impugned Order, in which it was observed *inter alia*, “*if the prisoner is released on parole than he can do altercation with witnesses and can commit serious offence and can be absent therefore the parole of prisoner is not recommended....*”. Elsewhere, it has also been observed in the impugned order that according to the Police, other family members of the prisoner are competent to do the agricultural works, on which grounds, he had sought his release.

4. But considering the overall facts and circumstances as also the conduct of the Petitioner during the Year 2017 when he was released thrice for domestic/agriculture related reasons, this Court does not found the impugned order to be tenable in its entirety.

5. For the aforesaid reasons, the instant Writ Petition is disposed off with liberty to the Petitioner to approach the Competent Authorities afresh for seeking his release on Parole, over which the Authorities shall pass a Reasoned Order within 06 weeks from the date of its communication, and after considering the entire background including conduct of the Petitioner from the Year 2017 onwards.

February 13, 2020

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No