

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

CRWP-1602-2019 (O&M)
Date of decision: 18.02.2020

Jitender @ Kaka

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Sushil Gautam, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Jitendra Chauhan, J.

This petition under Articles 226/227 of the Constitution of India read with Section 3(1)(d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, has been filed for direction to the respondents to release the petitioner on parole for four weeks for admission of his children.

Learned counsel contends that the children of the petitioner are to be admitted in Grades V and III, respectively. In support of his contention, learned counsel refers to Annexure P-2, a copy of report of the MC.

Learned State counsel does not controvert the factual position

with regard to the admission of the children, however, states that as per the

report of the competent authority, there is strong apprehension of breach of peace in the Village. The applicant has been involved in three more FIRs. Reply has also been filed by learned State counsel in the Court, which is taken on record.

Heard.

There is no dispute with regard to the admission of the children of the petitioner to next higher grades. His presence, being father, is vital and important for emotional assurance of the children. As far as the antecedents of the petitioner are concerned, he has already undergone the sentence in two cases, whereas in one matter, he is on bail.

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

Copy of the order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary.

(JITENDRA CHAUHAN)
JUDGE

(VIVEK PURI)
JUDGE

18.02.2020

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Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No