

Jai Pal @ Khopa

... Petitioner

v/s

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MR. JUSTICE VIVEK PURI**Present: Mr. Prateek Rathee, Advocate
for the petitioner.

Mr. Sukhdeep Singh Parmar, DAG Haryana.

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JITENDRA CHAUHAN, J. (ORAL)

This is a civil writ petition (treated as criminal writ petition) under Article 226 of the Constitution of India seeking writ in the nature of certiorari for quashing of the impugned order dated 20.9.2019 (Annexure P-1) vide which the petitioner was declined temporary release on parole and further writ in the nature of mandamus directing the respondents to release the petitioner on parole for six weeks to enable him to carry on agricultural operation on his land.

As per the reply, the petitioner owns about 1 Kanal and 6 Marlas of land. There are two brothers in the family of the petitioner who can look after the small piece of land very well. This Court had passed the following order on 9.1.2020:-

“On the last date, following order was passed:

"As per the reply, the petitioner owns about 1 Kanal and 6 Marlas land. Learned counsel further states that he also cultivates the land of his brother

on lease. Lease documents in support thereof be placed on record on the next date of hearing.

Post again on 09.01.2020."

Learned counsel for the petitioner states that there is no document of lease since the land has not been taken on lease but the fact of the matter is that the brothers of the petitioner are not residing in the village. He is directed to file affidavit to that fact.

Adjourned to 20.1.2020."

Despite specific directions, the petitioner chose not to file any affidavit.

In the circumstances, no case is made out to grant parole to the petitioner, at this stage.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

(VIVEK PURI)
JUDGE

19.02.2020

Janki

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