

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2417-2019

Date of Decision: 30.01.2020

Sukhbir Singh @ Sukha

... Petitioner

Versus

State of Haryana and others

...Respondents

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

Present : Mr. Namit Khurana, Advocate for the petitioner.

Mr. Sukhdeep Parmar, D.A.G., Haryana.

JITENDRA CHAUHAN.J.(ORAL)

This petition under Article 226 of the Constitution of India read with Section 3(1)(C) of the Haryana Good Conduct Prisoners (Temporary Release) Act , 1988 to issue direction to the respondents to release the petitioner on agriculture parole for six weeks and for medical treatment of his wife.

Reply on behalf of the respondents has been filed in the Court and the same is taken on record.

Learned counsel for the petitioner states that earlier petitioner was granted 03 days parole by this Court vide order dated 07.01.2019 and did not misuse the same and had surrendered within the time. Learned counsel further submits that the petitioner has already undergone more than 04 years out of the total sentence of 10 years.

On the other hand, learned State counsel submits that though the petitioner is not involved in any other FIR but he falls under the category of hardcore prisoners and the concession of parole should not be allowed to him.

Heard.

This is to be noticed that the petitioner has not misused the concession of parole earlier granted to him. There is no concrete evidence which can be made basis for the apprehension of the Jail authorities that the release of the petitioner is likely to endanger the security of the State and maintenance of public order.

In view of the above and considering the past conduct of the petitioner, 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.

(JITENDRA CHAUHAN)
JUDGE

(ARCHANA PURI)
JUDGE

30.01.2020

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Whether speaking/reasoned :	Yes	No
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Whether Reportable :	Yes	No
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