

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-1575-2020
Date of decision : 16.8.2021

Deepak

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

**CORAM: HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

Present: Mr.Ajay Kumar, Advocate for the petitioner

Ms.Tanisha Peshawaria, DAG, Haryana

(Proceedings through Video Conferencing)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of four weeks' parole to the petitioner as per the provisions of Sections 3 & 4 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 on the ground that the house of the petitioner requires repair.

The factum with regard to the requirement of repair of the house has not been disputed by the respondents as is apparent from the report of the Executive Engineer, PWD (B&R), Narwana, which clearly indicates that the house of the petitioner is in poor shape and requires repair. The stand of the respondents primarily is that the petitioner has two younger brothers, who are studying and therefore, can take care of the repair work of the house. The apprehension has also been expressed that the petitioner may involve in commission of some other crime.

We have considered the pleadings in the writ petition as well as the reply, which has been filed.

Keeping in view the fact that the house of the petitioner is in bad shape and requires repair as per the report of the Executive Engineer, PWD (B&R), Narwana, apart from the fact that although, there are two younger brothers of the petitioner but both of them are students, one is studying in 12th standard and the other doing graduation. The prayer of the petitioner, therefore, is accepted as the other ground, which has been pressed into service about the apprehension of the petitioner involving in commission of other crime is without any basis as nothing has been brought on record, which would indicate that he has such an inclination.

In view of the above, the present petition is allowed, the impugned order dated 11.1.2020 (Annexure P1) passed by respondent No.3- Commissioner, Karnal Division, Karnal is hereby set aside. Petitioner is directed to be released on parole for four weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

August 16, 2021

gsv

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No