

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

CRWP NO.3888-2021
Date of Decision: 23.04.2021

PURAN CHAND

....PETITIONER..

Versus

STATE OF HARYANA AND ORS.

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present : Mr. Kuldeep V. Singh Ahluwalia, Advocate,
for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

SANT PARKASH , J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

Instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to release the petitioner on emergency parole for a period of one month to perform/arrange the marriage ceremony of his daughter namely, Prinkya, which is fixed for 26.04.2021 and 27.04.2021 and enable him to meet his family members and relatives , in accordance with the entitlement under Section 3(1) (d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, and the Haryana Good Conduct Prisoners Act (Temporary Release) Rules 2007.

The petitioner was tried in FIR No.255 dated 11.07.2014, under Sections 148, 302, 341 read with Section 149 IPC, Police Station Sadar,

District Sirsa, Haryana and accordingly, he has been convicted and sentenced. Against the judgment of conviction and order of sentence, the petitioner filed an appeal before this Court, which is still pending admitted for final adjudication.

Learned counsel for the petitioner submits that the marriage of the elder daughter namely Prinkya is fixed for 27.04.2021 and the petitioner being father has to perform all rites and arrange the ceremonies/functions of marriage. There is no responsible person in the family. The petitioner is survived with wife and four children i.e. two daughters and two sons.

On the other hand, learned State counsel strongly opposes the submissions made by learned counsel for the petitioner and prays for dismissal of instant petition.

After having heard learned counsel for the parties and perusing the paper book, we are not inclined to extend the benefit of parole to the present petitioner. The solitary ground for seeking parole is to perform/arrange the marriage ceremony of the daughter of the petitioner, which is fixed for 26 and 27.04.2021 and to enable him to meet his family members and relatives but this fact is duly mentioned in the petition itself that the petitioner is survived with wife and four children i.e. two daughters and two sons and in our considered view, the other family members can make arrangements. Otherwise also, a complete procedure and mechanism has been provided under the Act/Rules seeking concession of parole and the petitioner has already approached the respondent(s) seeking identical and same relief.

At this stage, learned counsel for the petitioner prays for withdrawal of the instant petition with liberty to pursue his remedy before the appropriate authority in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

23.04.2021
sonika

whether speaking/reasoned: Yes/No
whether reportable: Yes/No