

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

CRWP No.4125 of 2021

Date of Decision: 13.09.2021

Sarwan Kumar

.... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Ravinder Bangar, Advocate
for the petitioner.

Mr. Vivek Saini, Addl. A.G.Haryana.

SANT PARKASH, J.

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

Prayer in the instant petition is for issuance of a writ in the nature of mandamus directing the respondents to release the petitioner on parole for four weeks, for making arrangements for the school admission of his children.

Learned counsel for the petitioner submits that the petitioner has been convicted and sentenced for life imprisonment in case FIR No.218, dated 20.05.2010, registered under Sections 302, 307, 120-B, 216 of IPC and Section 25 of Arms Act, 1959, at P.S.Sadar Bahadurgarh, District Jhajjar. Against the said conviction, the petitioner has filed an appeal bearing No.CRA-D-1508-DB of 2014 before this Court, which stands admitted. Now, the admission of the minor children of the petitioner is due for the next session and they require help of their father for arranging money and other necessary things for the same and there is no other male

member in the family, who can make all these arrangements and therefore, the wife of the petitioner made a representation dated 06.04.2021 (Annexure P-1) before the Jail authorities seeking his parole for four weeks but the same was not considered. He further submits that the petitioner is behind bars for the last approximately 10 years. He has also placed reliance on Annexure P-2 i.e. certificate issued by Sarpanch of the village of petitioner certifying that there is no apprehension of breach of peace if the petitioner is granted parole.

Per contra, learned State counsel places reliance on para 3 of the reply filed on behalf the respondents wherein it has been submitted that the petitioner has been convicted second time for committing murder of other undertrial prisoner in case FIR No.283 dated 07.10.2014, registered under Sections 302, 303, 323, 324, 325, 326, 148, 149 and 120-B of IPC at P.S.Bhondsi, Gurugram and there are several other cases pending against him.

At this stage, learned counsel for the petitioner prays for permission to withdraw the instant petition.

Accordingly, the present petition is dismissed as withdrawn.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

13.09.2021
Maninder

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