

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

CRWP-4395-2021

DATE OF DECISION:-20.05.2021

IQBAL

...PETITIONER...

V.

STATE OF HARYANA AND OTHERS

...RESPONDENTS...

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

Present: Mr. Mohd. Shahid Hussain, 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)*

Prayer in this petition under Article 226/227 of the Constitution of India read with Section 3 (1) (b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, is for issuance of directions to the respondents to grant four weeks' parole for the marriage of daughter of the petitioner, which is fixed for 23.05.2021.

The petitioner was tried in FIR No.219, dated 31.05.2017, under Section 20 of the Narcotic Drugs and Psychotropic Substance Act, 1985 and Sections 120-B and 201 IPC, Police Station Bilaspur, District Gurugram, and accordingly, he has been convicted and sentenced for 12 years rigorous imprisonment vide judgment of conviction and order of sentence dated 17.12.2020 and 22.12.2020

respectively. Against the judgment of conviction and order of sentence, 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 daughter of petitioner, namely, Shihana is fixed for 23.05.2021 with Sajid. There is no responsible person in the family of the petitioner to make the arrangement of marriage of the daughter of the petitioner. Moreover, father of the petitioner has also died few months ago, who was taking care of his family in the absence of petitioner. Copy of the marriage card and Panchayat report is annexed herewith as Annexures P-1 and P-2.

Learned State counsel has admitted the facts regarding the marriage of the daughter of the petitioner and has no objection, if, the petitioner be released on parole, to enable him to solemnize the marriage of his daughter, which is fixed for 23.05.2021.

Heard the arguments of learned counsel for the parties and have also perused the documents available on the file.

Admittedly, the marriage of the daughter of the petitioner is fixed for 23.05.2021 and the petitioner, being the father, has to make the arrangements and perform certain important rituals/ceremonies in the marriage. Moreover, there is no other responsible person in the family to make the arrangements.

In view of the above, the present petition is disposed of with a direction to respondent No.4-Superintendent, District Jail, Gurugram to release the petitioner on parole w.e.f. 21.05.2021 to

25.05.2021 to perform the marriage of his daughter, which is fixed for 23.05.2021, subject to his furnishing requisite bail bonds to the satisfaction of jail authorities.

The petitioner is directed to surrender before the Jail authorities on 26.05.2021 at 10:00 a.m. positively.

A copy of this order be supplied to learned State counsel and be also sent to respondent No. 4-Superintendent, District Jail Gurugram for ensuring requisite compliance.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

20.05.2021

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whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No