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

CRWP-8672-2021

Date of decision : 13.09.2021

Sameer Nain

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Prateek Rathee, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ in the nature of mandamus seeking directions to respondent No.4-Superintendent, Central Jail-I, Hisar, Haryana (although wrongly mentioned as respondent No.3 in the headnote and prayer clause of the petition) to apprise the petitioner about the date of his surrender.

Although, this Court was not inclined to entertain the present writ petition as it seems that this petition has been filed as if the petitioner is seeking advise rather than having any legal right, however, learned counsel for the petitioner has brought forth some facts so as to show that there is some confusion with respect to the date on which the petitioner is required to surrender.

Learned counsel for the petitioner has submitted that neither the petitioner wishes to run away from the process of law nor does the petitioner wish to violate the conditions of parole/special parole/interim order granted by

this Court.

Learned counsel for the petitioner has also submitted that for the said purpose, the petitioner has moved an application on 03.09.2021 (Annexure P-5) to respondent No.4-Superintendent, Central Jail-I, Hisar, Haryana, requesting him to inform about the date of his surrender.

Learned counsel for the petitioner has, however, undertaken that the date which would be so determined by respondent No.4, would be complied with by the petitioner without questioning it further and without getting into the question of maintainability of the said petition.

Since, this Court is of the opinion that the intent of the petitioner is bona fide as he does not wish to evade the process of law, thus, this Court deems it appropriate in the interest of justice to direct respondent No.4-Superintendent, Central Jail-I, Hisar, Haryana, to decide application dated 03.09.2021 (Annexure P-5) within a period of one week from the date of receipt of certified copy of the said order.

It is reiterated that as per the undertaking given by learned counsel for the petitioner, once respondent No.4 informs the petitioner about the date on which he is required to surrender, then the petitioner would surrender on the said date and would not question the said aspect.

In view of the above, the present Criminal Writ Petition is disposed of in the said terms.

13.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No