

Sr.No.121

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

CRWP-10832 of 2021

Date of decision:17.11.2021

Deepak and another

... Petitioners

versus

The State of Haryana and others

... Respondents

Coram: Hon'ble Mr. Amol Rattan Singh

Present: Mr. Hoshiar Singh Jaswal, Advocate
for the petitioners.

Amol Rattan Singh, J.(Oral)

Case heard by way of video conferencing.

Vide this petition, petitioners are praying for the grant of parole for four weeks under Section 3(1)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act-1988 for the solemnization of the marriage of petitioner No.1, scheduled to be held on November 27 & 28, 2021.

Learned counsel for the petitioners submits that the marriage of petitioner no.1 having been fixed for 28.11.2021, the said petitioner as also his mother, i.e. petitioner no.2, may be allowed to avail of parole for four weeks' in terms of Section 3(1)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

It is to be noticed that the marriage of petitioner no.1 should correctly have been fixed after he had already sought to be released on parole for that purpose; and simply because he has

decided to get the marriage fixed and thereafter seeks parole directly from this Court without even approaching the authorities concerned, it is not his fundamental right that the petition should be allowed.

Notice of motion.

Mr. Neeraj Poswal, learned AAG, Haryana, accepts notice on behalf of respondent No.1/State, at the asking of the Court.

The petition is disposed of with a direction to the competent authority amongst the respondents to take a decision on releasing petitioners no.1 and 2 on parole, within a period of one week from today.

If they cannot be released on parole for any valid reason, the marriage shall be solemnized in the jail premises under supervision.

A copy of this order be given to learned counsel for the petitioners and the State under the signatures of the Bench Secretary of this Court.

17th November, 2021

Shivani Kaushik

[AMOL RATTAN SINGH]

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No