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

CRWP-11014-2021
Date of decision : 23.11.2021

Aashish

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajender Kumar, 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 read with Section 3(1)(c) of the Haryana Good Conduct Prisoner (Temporary Release) Act, 1988 for issuance of a writ directing the respondents to release the petitioner on parole for a period of four weeks to attend the marriage of his nephew (sister's son).

Learned counsel for the petitioner has submitted that the petitioner was found guilty in FIR No.40 dated 03.04.2015 registered under Sections 148, 149, 323, 325, 307 of the Indian Penal Code, 1860 at Police Station Mohana, District Sonipat and was convicted and sentenced to undergo rigorous imprisonment for a period of one year vide judgment and order dated 15.01.2020 and 22.01.2020 respectively, passed by the Additional Sessions Judge, Sonipat. It has further been submitted that marriage of nephew (sister's son) of the petitioner namely Sahil is fixed for 28.11.2021 and reference has been made to Marriage Card which has been annexed as Annexure P-1 with

the present petition. It is further argued that the petitioner is maternal uncle (Mama) of the said Sahil.

Learned counsel for the petitioner has stated that the petitioner would be satisfied in case the present petition is treated as an application before respondent No.3-Superintendent, District Jail, Sonapat, Haryana, who may decide the same as expeditiously as possible within a period of three days from the date of receipt of certified copy of the order.

Notice of motion.

On advance notice, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of the State and is fully prepared to argue the matter and assist this Court. He has pointed out that a perusal of the present petition shows that no application had been moved before the Jail Authorities but however states that in case, the present petition is treated as representation/application to the Jail Authorities, then every endeavour would be made to decide the same in accordance with law as expeditiously as possible.

Keeping in view the abovesaid facts and circumstances, the present Criminal Writ Petition is disposed of with direction to respondent No.3 to consider the present petition to be an application of the petitioner for releasing him on parole and to pass a speaking order thereupon within 3 days from the date of receipt of certified copy of the present order, in accordance with law.

23.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No