

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

(105)

**CRWP No 11283 of 2021
Date of Decision : 20.12.2021**

Suresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Randeep Singh Dhull, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed for quashing of the order dated 02.11.2021 (Annexure P-1) passed by the Commissioner Karnal, Division Karnal, District Karnal by which, prayer of the petitioner for the grant of parole has been declined.

Learned counsel for the petitioner argues that the ground, which has been taken by the respondents in the impugned order, while declining the prayer of the petitioner that petitioner is a hardcore criminal and hence, is not entitled for the grant of parole, is contrary to the order passed by this Court in CRWP No. 160 of 2020, decided on 16.01.2020, wherein, the petitioner was granted parole to attend the marriage of his younger brother, wherein also, the same plea was taken by the respondents that the petitioner being a hardcore criminal, is not entitled for the grant of parole. Learned counsel for the petitioner submits that once the petitioner was found entitled for parole by this Court in earlier proceedings and a same reason as given in the present impugned order, has been found to be incorrect, denying the benefit of parole to the petitioner again on the same ground in fact amounts to Contempt of Court.

Learned State counsel, at the outset, very fairly submits that keeping in view the facts and circumstances of this case, where the plea of the petitioner

for grant of parole has been declined only on the apprehension that the same is likely to cause breach of peace and that too without recording the reasons for the same, needs re-consideration at the hands of the State. Learned State counsel submits that appropriate fresh order by taking into consideration all the relevant facts including the factum that the petitioner was granted parole by this Court while deciding CRWP No. 160 of 2020, will be passed within a period of 10 days.

Learned counsel for the petitioner submits that keeping in view the fact that the impugned order is being re-considered by the authorities, no further grievance of the petitioner survives in the present petition and the same may kindly be disposed of as such having been not pressed.

Ordered accordingly.

December 20, 2021

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No