

105.

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

CRWP-1349-2022

Date of Decision: 14.02.2022

DHARAMBIR

.... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aditya Gautam, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of direction to the respondents to consider and grant parole to the petitioner for three weeks to attend the marriage of his sister's son, in accordance with his entitlement under Section 3(1)(b) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

The petitioner was convicted for a period of 5 years in case FIR No.71, dated 21.01.2018, under Section 379A IPC, Police Station Civil Lines, Karnal. He has filed an appeal before this Court, which is pending consideration.

Learned counsel for the petitioner states that the nephew of the petitioner is to be married on 17.02.2022 (Annexure P-1) and he has to perform an important Hindu ritual of *bhaat*. Thus, he seeks parole for three weeks to attend the said marriage.

Notice of motion.

At this stage, Mr. Vishal Malik, DAG, Haryana., who is present in Court, accepts notice on behalf of the official respondents.

Let adequate copies of the paper book be supplied to him during the course of day.

Learned State counsel, while referring to Section 2(aa)(ii) of the Haryana Good Conduct Amendment Rule, 2013, submits that the petitioner is a hard core prisoner, as he has been convicted in three other cases under Section 379A of IPC. He can only attend the marriage of his nephew in police protection as per Section 5-A of the Haryana Good Conduct Prisoners Temporary Release Act, 2015.

I have heard learned counsel for the petitioner as well as the learned State counsel.

In view of the fact the marriage of petitioner's nephew is fixed for 17.02.2022, a direction is issued to the official respondents to take the petitioner to the marriage ceremony of his nephew in police custody at 9.00 AM and he be brought back on 17.02.2022 itself by 5.00 PM.

Petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

14.02.2022
sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No