

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

CRWP No.2295 of 2022

Date of Decision: 16.03.2022

SANDEEP @ SONU

.....Petitioner

V/s.

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: **HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO.**
 HON'BLE MR. JUSTICE JASJIT SINGH BEDI

(Through Video Conferencing)

Present: Mr. Sandeep Kumar Yadav, Advocate,
 for the petitioner.

Mr. S.S. Pannu, Deputy Advocate General, Haryana.

M.S. RAMACHANDRA RAO, J. (Oral)

This Criminal Writ Petition is filed for grant of parole of three months under Section 3(1) of the Haryana Good Conduct Prisoners Temporary Release Act, 1988 to look after his mother who is suffering from cancer.

The petitioner had been convicted on 23.02.2017 under Section 302 of the Indian Penal Code read with Section 34 and sentenced to suffer Rigorous Imprisonment for life, and also to pay a fine of ₹ 5,000/-

He has challenged this order by way of a Criminal Appeal bearing No. CRA-D-6063-DB-2017.

The petitioner had filed this application seeking parole for three months on the ground that his mother was suffering from cancer, and she was admitted on 26.02.2022 in SMS Hospital, Jaipur (Rajasthan) for treatment. However, after filing of this Criminal Writ Petition, she died on

12.03.2022, and Death Certificate issued by the competent authority has been placed on record.

Now, the petitioner wants grant of parole to perform religious ceremonies in connection with his mother's death.

Learned State counsel states that the petitioner is a member of a Gang who has been convicted for killing the leader of another rival Gang, and releasing him on parole would endanger the law and order situation since in the past also he has misused it.

Having regard to the said facts and circumstances, we are inclined to grant special parole to the petitioner for a period of two days in Police custody only to perform the religious ceremonies occasioned on the death of his mother.

Accordingly, this Criminal Writ Petition is allowed granting special parole to the petitioner for two days i.e. 22nd and 23rd March, 2022 to perform the religious ceremonies in connection with his mother's death in Police custody. He shall abide by all the terms imposed by the respondents while on parole, and shall be brought back to the prison where he is lodged currently immediately thereafter.

(M.S. RAMACHANDRA RAO)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

March 16, 2022

Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>