

108

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

CRMW-431-2022 IN/AND
CRWP-3248-2022
Date of decision:08.04.2022

KRISHAN KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mrs. Kusum Raj, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

CRMW-431-2022

The instant application has been filed for seeking exemption from filing certified copies of annexures.

For, good, and, valid reasons recorded in the application, the same is allowed, subject to all just exceptions.

Main case

1. The petitioner becomes aggrieved from the disaffirmative order, as becomes comprised in Annexure P-2, and, as made by the Competent Authority, upon his application, for parole, to enable him to meet his family.

2. A perusal of the order challenged before this Court reveals, that the reason which prevailed, upon the Competent Authority to decline relief to the petitioner, becomes comprised in the factum of the Station House Officer, Sadar Kaithal, rearing an objection to the application being allowed, on the ground of threatening of law, and, security.

3. However, the material, and, tangible evidence to support the afore objection is neither revealed in the order, nor is appended therewith, whereas, the impugned order would become well merited only, upon the Station House Officer concerned, supporting his objection to the parole claim of the petitioner, rather upon valid, and, tangible evidence.

4. Be that as it may, since the afore material is not existing on record. Therefore, the petition is allowed, and, the impugned order (Annexure P-2) is quashed, and, set aside.

5. The Competent Authority shall call for a fresh report from the Station House Officer, Sadar Kaithal, and, the latter shall ensure, that in the report concerned, he makes averments which are supported by tangible, and, concrete evidence. The afore reconsideration order be positively passed within three weeks hereafter.

5. If the petitioner yet remains aggrieved, then it is open to him to, in accordance with law, re-access this Court.

(SURESHWAR THAKUR)
JUDGE

08.04.2022

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Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No