

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

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CRWP-4483-2022

Date of Decision : **May 12, 2022**

NITIN ALIAS BABA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Sanpreet Sandhu, Advocate for the petitioner.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for seeking grant of emergency parole for a period of six weeks on account of medical treatment of the wife of the petitioner.

It has been submitted by the learned counsel for the petitioner that the petitioner had filed representation to the Jail Superintendent for the grant of parole but the same is pending and no order has been passed in that regard and, therefore, he may be considered for the grant of parole for six weeks.

On the other hand, Mr. Naveen Singh Panwar, DAG, Haryana has submitted that there is nothing in the paper book to show that the petitioner has approached the competent authority for the purpose of grant of parole and infact he has straightway come to this Court by filing the present petition and, therefore, the present petition is not maintainable. He submitted that so far as the contention raised in para No.3 is concerned, the same is vague in nature.

I have heard the learned counsels for the parties.

From a perusal of the paper book nothing can be seen as to whether the petitioner has moved any appropriate application before the competent authority and so far as the content in para No.3 of the petition is concerned, the same is certainly vague in nature. The petitioner should not have approached this Court directly without exhausting the remedy before the competent authority. Be that as it may, this Court is not inclined to invoke the extra ordinary jurisdiction under Article 226 of the Constitution of India on the ground that the petitioner has approached this Court without approaching the competent authority and, therefore, the present petition is, hereby, dismissed.

However, the petitioner shall always be at liberty to approach the competent authority for the grant of parole in accordance with law. In case any such application is moved then it is expected that the competent authority will consider and decide the same in accordance with law as expeditiously as possible.

(JASGURPREET SINGH PURI)
JUDGE

May 12, 2022

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