

NAVEEN PUNIA

...PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Yuvraj Singh, Advocate for
Mr. Manoj Kumar Pundir, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

VIVEK PURI, J. (ORAL)

Petitioner is seeking issuance of release on parole for a period of 04 weeks.

Learned counsel for the petitioner contends that the wife of the petitioner was on family way and her expected date of delivery was 16.07.2022. He further contends that as per his instructions, the delivery took place on 15.07.2022. The petitioner is seeking emergency parole as per the provisions of Section 5 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022 which provides for emergency parole in the event, death of a family member or serious condition of any member of the prisoner's family.

Learned State counsel has not disputed the claim of the petitioner for release on parole particularly because the health condition of the wife of the petitioner must be precarious on account of delivery. He has only opposed the request for parole on the score that the petitioner is in custody in another case bearing FIR No. 339/2019, under Section 419 IPC, registered at Police Station Indri.

that in terms of order dated 11.07.2022, the petitioner has been granted bail in the aforesaid case by the Court of learned Judicial Magistrate 1st Class, Indri.

The wife of the petitioner has delivered a baby on 15.07.2022. The presence of the petitioner with his wife and infant during the post-delivery for some period of time appears to be essential for the proper care of wife and the child of the petitioner.

In these set of circumstance, sufficient grounds are made out to release the petitioner on emergency parole.

In view of the above, the present petition is allowed and the petitioner is granted parole for a period of 04 weeks, subject to his furnishing surety bonds to the satisfaction of the Competent Authority/Duty Magistrate. The petitioner shall surrender before the jail authority on the date and time to be notified by the releasing Court/Duty Magistrate.

18.07.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No