

CRWP No. 10079 of 2022

Date of Decision: 10.11.2022

Pankaj

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWANPresent: Mr. Vikas Lochab, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

G.S.SANDHAWALIA, J. (ORAL)

Petition for direction to decide the application for parole and to relieve the petitioner to enable him for agricultural purposes has been preferred.

The following order was passed on 21.10.2022:-

“Inter alia contends that direction is sought to decide the request of parole, which was submitted on 18.08.2022.

Notice of motion.

On the asking of Court, Mr. Hitesh Pandit, Addl. A.G, Haryana accepts notice on behalf of the respondents and prays for time to seeks instructions as to why the Competent Authority has not taken a decision on the same. However, it is open to the authorities to pass a speaking order in accordance with law by the next date of hearing and place the same on record.

Adjourned to 10.11.2022.”

A reply way of an affidavit of Sh. Jangsher Singh, Deputy Superintendent, District Jail, Jhajjar, dated 08.11.2022, has been filed in Court today by learned State counsel. The same is taken on record.

In the aforesaid reply, it has been mentioned that the petitioner falls under the category of Hardcore Prisoner and therefore, having not completed 05 years of imprisonment as per Section 6 (3) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, he is not entitled to the said benefit. It is also pointed out that the detail of the custody period undergone by him as on 08.11.2002 is 04 year, 01 month and 12 days of actual sentence.

It has also been averred that the application dated 18.08.2022 was decided on the same date itself by the Superintendent of Prisons. Copy of the said order has also been placed on record and supplied to counsel for the petitioner.

Learned counsel for the petitioner submits that he does not press the present petition due to the said fact and prays for liberty to avail of his remedy, in accordance with law.

Ordered accordingly.

(G.S. SANDHAWALIA)
JUDGE

November 10, 2022
nitin

(HARPREET KAUR JEEWAN)
JUDGE