

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

**CRWP-888-2023 (O&M)
Date of decision: 03.02.2023**

Vikram @ Vicky

... Petitioner

Vs.

State of Haryana & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE SANJIV BERRY.**

Present: Mr. Munish Mittal, Advocate for the petitioner.

Mr. Sharan Sethi, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Challenge in the instant petition is to the order dated 17.01.2023 passed by the Superintendent of Jail, District Jail, Jind declining the request of the petitioner seeking regular parole for 30 days.

Petitioner faced trial upon registration of FIR No.99, dated 03.08.2019, under Sections 120-B/302/201/34 IPC registered at Police Station Alewa. Vide judgment/order of sentence dated 09.09.2022/ 12.09.2022 passed by the learned Sessions Judge, Jind, petitioner was convicted and sentenced as follows:

“The applicant/appellant has been convicted and sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs.20,000/- (Rupees twenty thousand) each U/S 120-B IPC & simple imprisonment for 6 months in default of fine and rigorous imprisonment for life and to pay a fine of Rs.20,000/- (Rupees twenty thousand) each

U/S 302/34 IPC & simple imprisonment for 6 months in default of fine.”

Petitioner is serving out his sentence at District Jail, Jind.

We have perused the impugned order and as per which the request for parole has been declined on the ground that in terms of provisions of the Haryana Good conduct Prisoners (Temporary Release) Rules, 2002, he is not eligible for such concession.

Reasoning adopted in the impugned order cannot be stated to be flawed.

Be that as it may, the concession of parole was being sought on account of a family exigency i.e. marriage of the real sister of the petitioner.

In view of the above and without even setting aside the impugned order and under the peculiar facts and circumstances of the case, the instant petition is partly allowed to the extent of grant of concession of parole to the petitioner over a period of 5 days commencing w.e.f. 04.02.2023.

Such concession is granted to the petitioner upon furnishing two sureties to the satisfaction of the District Magistrate concerned.

Petitioner would report back to the Jail authorities on 08.02.2023 by 5:00 P.M.

Petition is allowed in the aforesaid terms.

A copy of this order be furnished to counsel for the parties under the signatures of the Bench Secretary.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

03.02.2023

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|--------------------------------|--------|
| (i) Whether speaking/reasoned? | Yes/No |
| (ii) Whether reportable? | Yes/No |