

In the High Court of Punjab and Haryana at Chandigarh
105

CRWP-1525 of 2023 (O&M)

Date of Decision: 22.02.2023

Subhash

---Petitioner

versus

State of Haryana and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. M.N. Jajoria, Advocate
for the petitioner

Ms. Dimple Jain, AAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

On 20.02.2023, following order was passed:-

“Learned counsel for the petitioner inter alia contends that petitioner is in custody for last more than five years. The marriage of sister of the petitioner is fixed for 24.02.2023. There is no body in the family to perform the rituals, thus, he needs four weeks' parole.

Notice of motion.

Ms. Dimple Jain, AAG, Haryana, accepts notice on behalf of the respondent- State and seeks time to verify the factual position.”

Short reply by way of affidavit of Sewa Singh, Superintendent,

District Jail Bhiwani filed on behalf of respondents No. 1 to 3 is taken on

record. Registry is directed to tag the same at an appropriate place. Custody certificate is also taken on record.

Paragraph 6 of the reply which is relevant for adjudication of the present petitioner reads as:-

“6. That, now the petitioner/convict has been applied for grant of parole before respondent No. 3 i.e. Superintendent, District Prison, Bhiwani on 06.02.2023 for his temporary release on parole for a period of 05 weeks. His parole case has already been initiated and forwarded to the District Magistrate, Bhiwani with a copy to Commissioner, Rohtak Division, Rohtak the competent authorities to grant parole/furlough for consideration/recommendation/sanction by District Prison, Bhiwani vide letter No. 1161-1164 dated 07.02.2023. It is further submitted that the parole case for a period for 05 weeks is in process and now it is pending with the office of the District Magistrate, Bhiwani for their consideration/ recommendation/ sanction.”

In view of above facts and circumstances, the petition is allowed. The petitioner subject to furnishing of requisite bonds is ordered to be released on parole for a period of 10 days. The petitioner shall surrender before the Jail Authorities, Bhiwani on 04.03.2023 upto 5.00 p.m.

(JAGMOHAN BANSAL)
JUDGE

22.02.2023

paramjit

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No