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

CRWP-2763-2023

Date of Decision: 28.03.2023

Kapil

. . . . Petitioner

Vs.

State of Haryana and others

. . . . Respondents

**CORAM: HON'BLE MR JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MRS JUSTICE SUKHVINDER KAUR**

Present Mr. Ankur Sheoran, Advocate for
Mr. Jay Prakash Janghu, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

M.S. RAMACHANDRA RAO, J. (Oral)

Status report filed by the State counsel today in the Court is
taken on record.

In this Writ Petition, petitioner seeks a mandamus for grant of
parole to him for 2 weeks to attend the marriage of his elder brother fixed for
14.04.2023.

Petitioner is confined in the District Jail, Rohtak as he was
convicted by the learned Additional Sessions Judge, Fast Track Special
Court, Rohtak vide judgment and order dt.30.10.2020/03.11.2020 for
committing offences under Sections 376(D) IPC and had been sentenced to
undergo rigorous imprisonment for 20 years and to pay fine of Rs.50,000/-.
He was also further sentenced to undergo rigorous imprisonment for 1 year
and to pay fine of Rs.5,000/- for committing offence under Section 506 IPC.

He has filed an Appeal bearing No. **CRA-D-15-2021** in this Court which has been admitted and is pending in this Court.

Counsel for the petitioner contends that the elder brother of the petitioner is getting married on 14.04.2023; that Annexure P-1 is the marriage card; and the local Municipal Councilor had certified vide Annexure P-2 (certificate/letter) that presence of the petitioner is necessary. It is contended that a representation had been submitted on 12.03.2023 to the Jail Superintendent, District Jail, Rohtak for grant of parole on the above ground but the same has not been considered.

In the status report filed by the State counsel, the factum of the marriage of the elder brother of the petitioner being held on 14.04.2023 is not disputed. Also, it does not refer to any apprehension of the petitioner fleeing from the custody.

Having regard to the said fact remaining undisputed, we deem it appropriate to grant parole to the petitioner from 12.04.2023 to 16.04.2023 (both days inclusive) subject to the petitioner surrendering himself at 5pm on 16.04.2023, and also subject to the petitioner furnishing surety bonds/bail bonds to the satisfaction of the Superintendent of Police, Rohtak.

Accordingly, Writ Petition stands disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

March 28, 2023

Mohit goyal

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No