

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

244

CRWP-4119-2022

Date of Decision: April 25, 2023

Rohtash @ Bhinda

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Kotla, Legal Aid Counsel for the petitioner.

Mr. Manish Bansal, DAG, Haryana

ANOOP CHITKARA J. (ORAL)

Aggrieved by the dismissal of the agriculture parole application of the petitioner, the petitioner has come up before this Court seeking agriculture parole for six weeks under the Haryana Good Conduct Prisoners (Temp. Release) Act, 1988.

2. A perusal of the application reveals that the petitioner filed application for agriculture parole before respondent No.2 wayback in 2021 and now almost two years and eight seasons have passed.

3. Legal Aid Counsel for the petitioner argued that he is entitled to parole on merits because the order of rejection was arbitrary, without application of mind and violative of the pronouncement of Hon'ble the Supreme Court in *Meneka Gandhi Vs. Union of India, AIR 1978 SC 597* and *Mohinder Singh Gill and another Vs. The Chief Election Commissioner, 1978 AIR 851*

4. Since lots of time has passed and at this stage, the present petition is not maintainable and is disposed of as such.

5. Liberty reserved to the petitioner to file fresh application for parole before the competent authority and the authority shall decide the same without being influenced by the previous rejection. In case, the application for parole is rejected, the same shall be done by passing a speaking and reasoned order.

6. Legal Aid Counsel is entitled to his fee as per Rule.

(ANOOP CHITKARA)
JUDGE

April 25, 2023

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