

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

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CRWP-7181-2021 (O&M)

Date of Decision: 31.01.2023

Praveen

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Prateek Rathi, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

The instant petition has been filed challenging order dated 16.06.2020 (Annexure P-1) vide which an application filed by the petitioner seeking grant of parole has been declined.

The said application has been declined mainly on account of the fact that the petitioner had previously absconded while availing furlough and since 5 years had not elapsed after the said lapse, he fell in the category of 'hardcore prisoner' as per Section 2(aa)(5) of the Haryana Good Conduct Prisoners (Temporary Release) Amendment Act, 2012/2013.

It is not disputed that as of now a period of more than 5 years has elapsed ever since the petitioner absconded and as such, he may not fall in the category of 'hardcore prisoner'.

Learned counsel for the petitioner submits that he has no objection in case the matter is considered afresh in the light of changed circumstances.

In view of the aforestated position, the instant petition is disposed of with a direction to the authorities concerned to consider the matter afresh for release of the petitioner on parole upon any fresh application as may be filed by the petitioner.

In case, any such application is filed, the authorities concerned shall endeavour to dispose of the same expeditiously preferably within a period of one month from the date of filing of such application in accordance with law.

31.01.2023

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**