

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

118

CRWP-5393-2023

Date of Decision: 01.06.2023

Bijendra @ Kala

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE B.S.WALIA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Sanjeev Kumar, Advocate
for the petitioner.

Mr. Surender Singh Pannu, Additional Advocate General,
Haryana.

B.S.Walia, J. (Oral)

Prayer in the petition under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of mandamus directing the respondents to release the petitioner on parole in terms of Section 3 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, on account of marriage ceremony of the petitioner daughter i.e. Deepali scheduled for 23.06.2023.

2. At the outset, learned counsel for the petitioner states that the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, has been repealed by the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, therefore, he confines his prayer to consideration of the claim of the petitioner in a time bound manner for release in terms of Section 6 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, for attending the marriage of his daughter Deepali scheduled for 23.06.2023.

3. Notice of motion.
4. Learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State and states that in view of the limited nature of the prayer made by learned counsel for the petitioner the instant petition be disposed of by directing respondent No.3 to decide the representation Annexure P/2 dated 12.05.2023 in accordance with the provisions of Section 6 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022.
5. In view of the position noted above as well as statement of learned counsel for the parties, the instant petition is disposed of by directing respondent No.3 to consider and decide representation Annexure P/2 dated 12.05.2023 in accordance with law in the light of Section 6 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, within ten days from today and to communicate decision on the same to the petitioner through the Superintendent District Jail, Bhondsi, within the aforementioned period of time.
6. Petition is disposed of with the aforementioned directions.
7. Copy of this order be given to the learned counsel for the parties under the signatures of the Bench Secretary.

(B.S.WALIA)
JUDGE

01.06.2023

Varinder Prashad

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No