

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRWP-3066-2024 (O&M)
Date of Decision:-8.4.2024

Devender ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Randeep S. Dhull, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks issuance of a writ in the nature of mandamus so as to direct the respondents to grant emergency parole to the petitioner for a period of 6 weeks as requested by him vide his application dated 26.3.2024 (Annexure P-1), so as to enable him to arrange for and to attend the marriage ceremony of his son Atul, which is to be solemnized during the period 16.4.2024 to 20.4.2024, when various ceremonies are to be performed.
2. Learned counsel for the petitioner submitted that although the petitioner has already undergone 13 years of custody and is presently confined in open jail, but despite the petitioner having moved appropriate application on 26.3.2024, the same is not being considered and he is orally being informed that on account of imposition of model code of conduct, his application cannot be considered.

3. Notice of motion.
4. On asking of the Court, Mr. Munish Sharma, DAG, Haryana, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent – State.
5. Learned State counsel has fairly stated that presently model code of conduct would not be a bar for granting the parole. He has further stated that the case of the petitioner shall be considered in accordance with law and shall be disposed of within a period of 4 days from today.
6. In view of the aforesaid submission, the instant petition is disposed of with a direction to respondent Nos.2 to 4 to consider and dispose of the representation/application dated 26.3.2024 (Annexure P-1) expeditiously preferably within a period of 4 days from today. It is, however, made clear that the model code of conduct is not to be made a bar for declining parole to the petitioner unless there are justifiable reasons for the same.

8.4.2024
Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No