

2024:PHHC:061375-DB

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

1. CRWP No. 3883 of 2024(O&M)
Date of Decision: May 03 , 2024.

Jai Parkash PETITIONER(s)

Versus

State of Haryana and others RESPONDENT (s)

2. CRWP No. 3884 of 2024(O&M).

Dinesh Bhadana PETITIONER(s)

Versus

State of Haryana and others RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL
HON'BLE MRS.JUSTICE RITU TAGORE**

Present: Mr. R.S.Dhull, Advocate
for the petitioners.

Mr. Deepak Garewal, DAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

1. This order shall dispose of CRWP No.3883 of 2024 and CRWP No.3884 of 2024.
2. Both the petitioners have been convicted for the offences punishable under Sections 302/201/364/148/149/120B IPC and Section 25 of the Arms Act and sentenced to undergo imprisonment till the remainder of their lives.

3. Prayer addressed in these petitions is for grant of emergency parole to petitioners for six weeks to enable them to remain present for 'Tehravi ceremony' of their father who unfortunately passed away on 25.04.2024.

4. Status reports by way of affidavit dated 02.05.2024 of Mr. Sumit Panwar, Deputy Superintendent, District Jail, Faridabad, filed in Court today, is taken on record in both the petitions, subject to just exception.

5. Learned counsel for the State while referring to the said reply, verifies that father of petitioners unfortunately passed away on 25.04.2024 and 'Tehravi ceremony' is to be held on 07.05.2024. However, release of the petitioners is opposed by learned counsel for the State while submitting that both of them fall under the category of hardcore convicted prisoners in terms of Section 2(1)(g)(i)(8) of Haryana Good Conduct Prisoners (Temporary Release) Act, 2022. It is pointed out that the petitioners were sent in police custody to attend cremation of their father on 25.04.2024 in terms of Section 6(2) of the Act. Petitioners, it is reiterated, are not entitled for kind of parole/furlough/emergency parole in terms of the applicable provisions and the local police have expressed their specific and categoric opposition of release of the petitioners at this stage. Another brother of the petitioners, namely, Satish son of Braham Singh who was convicted in FIR No.213 dated 19.12.2010 has been released on 23.03.2024 pursuant to order dated 20.03.2024 passed by the Hon'ble Supreme Court of India in Criminal Appeals No.712-714 of 2024. The necessary rites can, thus, be performed by him as well.

6. Having heard learned counsel for the parties and perusing the file, it is considered just & expedient and is so ordered that both the petitioners be taken for the 'Tehravi ceremony' in police custody on 07.05.2024 and permitted to

CRWP No.3883 of 2024 and a connected matter
[3]

remain at the residence/place of ‘Tehravi ceremony’ from 08.00 a.m. till 5.00 p.m. in the presence/custody of police personnel in plain clothes

7. Both petitions are disposed of accordingly.

(LISA GILL)
JUDGE

May 03 , 2024.
‘om’

(RITU TAGORE)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No