



CRWP No.6226 of 2024

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

CRWP No.6226 of 2024

Decided on :05.07.2024

Sajiv @ Sanju

.....Petitioner

VERSUS

State of Haryana and Ors.

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Randeep S. Dhull, Advocate for the petitioner.
Mr. Sukhdeep Parmar, Sr. D.A.G. Haryana.

LISA GILL, J (ORAL)

1 Petitioner seeks temporary release on emergency parole under the Provisions of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022 (for short 'the Act') for a period of four weeks to attend the last rites and rituals (Tehrvi ceremony) of his real brother, namely, Vikas son of Lala Ram, who unfortunately is stated to have passed away on 25.06.2024.

2 It is averred in the petition that his application seeking emergency parole was not being decided in an unjustified manner.

3 Learned counsel for the State while referring to communication dated 05.07.2024 submits that the petitioner is in fact not entitled to emergency parole in view of clause 6(3) of the Act as he falls in the category of 'hardcore prisoners'. Petitioner has not undergone a period of 7 years even if the undertrial period is included. However, it is verified that Tehrvi ceremony of petitioner's brother is stated to be held on 06.07.2024. Verification report dated 03.07.2024 from SHO, Police Station Sadar Punhana, District Nuh, is attached along with communication

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dated 05.07.2024 from Superintendent District Jail, Nuh to learned Advocate General, Haryana. Photocopy of said communication along with Annexures are taken on record subject to just exceptions.

4 Learned counsel for the petitioner however, submits that stand taken by respondents is incorrect as petitioner is entitled to the concession of emergency parole. Be that as it may, it is however submitted that keeping in view the fact that the Tehrvi ceremony is to be held on 06.07.2024 i.e. tomorrow, the petitioner may be permitted to attend the same in police custody.

5 No serious objection has been raised to this course of action.

6 Keeping in view the facts and circumstances of the case, it is directed that petitioner be taken in police custody to attend the Tehrvi ceremony of his brother on 06.07.2024 at the scheduled place. Necessary arrangements be made by concerned authority.

7 The question regarding entitlement of petitioner to benefit of parole is kept open.

8 Petition stands disposed of accordingly.

(LISA GILL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

05.07.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No