



101

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

**CRWP-10807-2024 (O&M)**

**Date of decision: November 11, 2024**

Rajinder @ Kalu

....Petitioner

versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH  
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

**Present:-** Mr. Hitesh Verma, Advocate for  
Mr. Naveen Siwach, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Additional AG Haryana.

\*\*\*\*\*

**SUDHIR SINGH, J. (ORAL)**

Present petition has been filed under Article 226/227 of the Constitution of India read with Section 3 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, *inter alia*, for issuance of a direction to the respondents for releasing the petitioner on parole for 10 to 15 days to attend marriage of his only sister, which is scheduled for 12.11.2024.

2. Learned counsel for the petitioner submits that the petitioner is a convict in FIR No.331 dated 04.06.2023 under Sections 376(3)/450/506 of IPC and Section 6 of the POCSO Act, registered at Police Station Tosham. He submits that the petitioner is currently confined in District Jail, Bhiwani. An appeal against the aforesaid conviction is pending before this Hon'ble Court.

2.1. Learned counsel submits that marriage of the only sister of the petitioner, is to be solemnized on 12.11.2024 at village Dang, Tehsil Tosham,

District Bhiwani and his presence is required to perform certain rituals. He has also moved an application (Annexure P-1) along with the copy of marriage invitation card (Annexure P-2) for grant of parole before the D.C., Bhiwani, but no action has been taken on the same so far.

3. Vide order dated 08.11.2024, while issuing notice of motion, learned State counsel was directed to file a response.

4. Today on the resumed hearing, learned State counsel has filed his response, and the same is taken on record and marked as 'X' for identification. He submits that the petitioner is a convict in a case under the POCSO Act and the victim and other witnesses belong to the same village, where the petitioner resides and is to attend the marriage function of his sister. He apprehends disruption of law and order situation and any other kind of overt act on the part of the petitioner, him being resident of the same village where the victim and other witnesses reside.

5. We have heard learned counsel for the parties and have gone through the case file.

6. Concededly, marriage of sister of the petitioner is scheduled for 12.11.2024 at village Dang, Tehsil Tosham, District Bhiwani and his presence is required to attend marriage function and perform required ceremonies.

7. As the petitioner is a convict in a case under the POCSO Act and there is apprehension of law and order situation, therefore, we order that the petitioner will be taken to the aforesaid village in police custody on 12.11.2024 at 8.00 a.m. to attend marriage function of his sister to perform the required ceremonies. The petitioner will be taken back to the jail in police custody at 8:00 p.m. on 12.11.2024 itself.

8.               With the aforesaid observations and directions, the present petition  
  
is disposed of.
9.               Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)  
JUDGE

(JASJIT SINGH BEDI)  
JUDGE

November 11, 2024  
mahavir

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