

2025:PHHC:000084-DB



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

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**CRWP-2-2025 (O&M).
Date of Decision: 02.01.2025.**

RAHUL @ RAHUL TYAGI

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.
HON'BLE MRS. JUSTICE AMARJOT BHATTI.**

Present: Mr. Shashi Kumar Yadav, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition raises a challenge to the order dated
05.12.2024 (Annexure P-1) passed by respondent No.4-the Jail
Superintendent, District Jail Faridabad, District Faridabad, Haryana, vide
which the application filed by the wife of the petitioner for grant of

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emergency parole to the petitioner has been declined on the ground that the custody undergone by the petitioner is less than one year.

2 Learned counsel appearing on behalf of the petitioner contends that the wife of the petitioner who is an expectant mother is suffering from liver disease and there is a risk involved in the delivery and as such, the presence of the petitioner would be required. He refers to the medical documents appended along with the present petition as Annexure P-2 which shows that the expected date of delivery is from 27.12.2024 to 05.01.2025. A further reference is made to Section 5 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, as per which the competent Authority is entitled to grant emergency parole to a convicted person irrespective of the period of sentence undergone by him in an eventuality where a member of the family of the convict is in serious condition.

3 Notice of motion.

4 Mr. Vivek Saini, Addl. A.G. Haryana, accepts notice. He does not raise any serious objection to the aforesaid prayer being accepted.

5 Taking into consideration the totality of the circumstances and also the fact that the date of delivery is expected to be on or before 05.01.2025, we deem it appropriate to dispose of the present petition directing the respondent No.4-Jail Superintendent, District Jail Faridabad, District Faridabad, to release the petitioner for a period of 15 days commencing w.e.f. 04.01.2025 to 18.01.2025 subject to petitioner furnishing the requisite bonds to the satisfaction of the Jail Superintendent.

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The petitioner shall surrender before the Jail Superintendent, Faridabad on 18.01.2025 before 5:00 P.M.

(VINOD S. BHARDWAJ)
JUDGE

January 02, 2025.
raj arora

(AMARJOT BHATTI)
JUDGE

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