

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2025:PHHC:153080



CRWP-10160-2025 (O&M)
Date of decision: 06.11.2025.

SURAJ

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Navdeep Singh, Advocate,
for the petitioner.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for seeking modification of the order dated 28.08.2025 to the extent whereby, while granting the concession of parole, the petitioner has been directed to furnish two surety bonds for a sum of Rs.1.5 lakhs each reduced from Rs.3,00,000/- each.

2 Learned counsel appearing on behalf of the petitioner contends that the petitioner was convicted for commission of offence under Sections 302,

377 and 328 of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act, registered at Police Station Civil Lines, Rohtak, and sentenced to undergo imprisonment for life. Criminal Appeal bearing No.CRA-D-49-DB-2016 titled as 'Rahul Vs State of Haryana' against the same was dismissed by this Court vide judgment dated 21.05.2024. He contends that the petitioner maintained good conduct in jail and had been granted concession of parole earlier also from 18.09.2023 to 28.11.2023; from 25.01.2024 to 09.02.2024 and from 23.10.2024 to 02.01.2025 and has not misused the concession of parole. He contends that the petitioner had applied for the grant of parole for a period of 10 weeks which was allowed by respondent No.2 i.e. the Divisional Commissioner, Rohtak. However, while allowing the concession of parole, the Divisional Commissioner, Rohtak, imposed a condition to furnish two sureties of Rs.3 lakhs each. It is contended that the family of the petitioner had only one earning member i.e. his father who has passed away in the meanwhile and as such the family finances are highly constrained and that the surety bonds, as asked for, could not be furnished.

3 The petitioner accordingly moved an application before the Divisional Commissioner for modification of the aforesaid condition. He submits that vide order dated 28.08.2025, the amount of surety bonds was reduced to R.1,50,000/- each from Rs.3,00,000/- each. He submits that even the bonds for aforesaid revised amounts cannot be furnished by the petitioner, hence, despite the petitioner having been allowed to be released on parole, he is still in custody and is unable to avail the said parole. It is submitted that the family of the petitioner belongs to an economic status of 'Below Poverty Line' and that it is highly difficult for him to arrange the sureties as prescribed.

4 He submits that the conduct of the petitioner, while in custody and during the period of parole granted to him earlier, do not give rise to any apprehension of petitioner absconding from the process of law.

5 State counsel, on the other hand, contends that on earlier occasions when the petitioner was granted concession of parole, similar conditions were imposed and the surety bonds had been furnished. He, however, does not dispute that father of the petitioner has passed away in the meanwhile.

6 I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition.

7 Even though the prescribing of such conditions would ordinarily be within the administrative domain and not call for interference and that some indulgence has already been shown by the Divisional Commissioner, however, taking into consideration the compelling circumstances including the changed scenario where the sole earning member of the family of the petitioner i.e. his father, has passed away and there is no other source of income and coupled with the fact that the financial status of the petitioner is 'Below Poverty Line', I find that the condition of furnishing two sureties of Rs.1,50,000/- each may be very onerous in peculiar facts of this case. The family of the petitioner would be looking forward to the benefit of parole to the petitioner so that he can make appropriate and necessary arrangements for the well-being and comforts of his family. Besides, this Court is also persuaded by the previous antecedents of the petitioner in as much as he has not misconducted himself during the period of parole availed by him and is not involved in any other prison offence.

8 Accordingly, the present petition is allowed. The conditions of furnishing two surety bonds for a sum of Rs.1,50,000/- each is further modified

to furnishing of personal surety bond of Rs.50,000/- by the petitioner with one surety of the like amount. All other conditions shall remain the same.

November 06, 2025.
raj arora

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No

(VINOD S. BHARDWAJ)
JUDGE