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2024:PHHC:064177



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

CRWP-4147-2024

Date of Decision : **08.05.2024**

BRIJ LAL

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Amandeep Singh Rai, Advocate for
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition, filed under Article 226/227 of the Constitution of India read with Section 3(1)(d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, prayer is made for issuance of *mandamus* upon the official respondents, for grant of two weeks parole to the present petitioner on occasion of marriage of his daughter, which is stated to be fixed for dated 24.05.2024, as he has already made a requisite representation to the authorities concerned on dated 10.04.2024.

2. It transpires from the record that the petitioner for the same cause of action has already approached this Court vide CRWP-2293-2024



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which was ordered to be dismissed as withdrawn, vide order dated 14.03.2024, on the request of the then counsel for the petitioner.

3. Learned State counsel has produced a speaking order dated 08.03.2024, passed by a competent jail authority, which reflects that the petitioner had jumped the parole on an earlier occasion, and after registration of the fresh case, he was arrested, and now he is confined in the instant matter, since 26.01.2024, i.e. after a delay of 1043 days, (from the date of reporting back in the jail (dated 19.03.2021) after completion of his parole).

4. When learned counsel for the petitioner, was confronted, that why the aforesaid speaking order has not been placed on record while filing the instant petition, to which his answer was not satisfactory. It seems that the speaking order (*supra*), has been deliberately concealed from this Court, and only by changing the date of marriage of petitionere's daughter, fresh petition has been filed.

5. This Court is unable to comprehend, how a fresh petition is maintainable merely on the change of the date of marriage, once the earlier petition for the same cause of action was dismissed as withdrawn.

6. It further reflects from the conduct of the petitioner, that attempt has been made to conceal the aforesaid relevant speaking order, from this Court, so that he could easily obtain favourable order of parole from this Court.

7. The conduct of the petitioner is highly deprecable, and cannot be appreciated.

8. Therefore, this instant petition is **dismissed**.

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9. Though the present petitioner is liable to be burdened with an exemplary costs, for filing such a frivolous petition, but considering the fact that he is behind the bars, this Court refrains itself to do so.

May 08, 2024*dharamvir***(KULDEEP TIWARI)**
JUDGE

Whether Reportable. : Yes/No
Whether speaking/reasoned. : Yes/No