

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

CRWP-915-2015 (O&M)

Date of decision: 05.11.2015

Madan Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Akshay Jain, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab.

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**Jitendra Chauhan, J. (Oral)**

By filing the present petition under Section 226 of the Constitution of India, the petitioner seeks directions to the respondents for his release on parole for a period of four weeks on account of the ill health of the mother.

Short affidavit on behalf of respondents No.1 to 3 filed in the Court is taken on record.

The learned counsel refers to Annexure R/1 and R/2 to state that the reasons cited prior to filing of the present petition and after notice of motion are at variance. The parole has been denied to the petitioner only on the basis of probability of the escape of the petitioner without there being any cogent reason. The petitioner has never been declared as proclaimed offender. However to frustrate the

right of the petitioner in the subsequent report Annexure R/2 dated 18.09.2015, it has now been added that the release of the petitioner on parole will adversely affect the society and it will disturb the public peace and order. There is no other FIR against the petitioner.

Considering the fact that the reasons for denial of parole to the petitioner prior to the filing of the present petition vide Annexure R/1 and after filing of the present petition, Annexure R/2 at variance. Keeping in view the fact that there is no other FIR against the petitioner and the fact that he has never been declared as proclaimed offender, the present petition is allowed. The petitioner is granted parole for four weeks from his release from judicial custody on his furnishing requisite bonds to the satisfaction of the trial Court. The date to surrender is to be indicated by the releasing Court.

05.11.2015

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**(JITENDRA CHAUHAN)**  
**JUDGE**