

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 12.09.2019

CWP No.22206 of 2019

Gurwinder Singh

...Petitioner

Vs.

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Nandan Jindal, Advocate, for the petitioner.

Ms. Anu Pal, DAG, Punjab.

RAJIV NARAIN RAINA, J. (ORAL)

Having heard learned counsel for the parties and considering the provisions, I am of the view that the petitioner is not entitled to parole. It is not a vested right. It is a concession granted by the Government to temporarily release the prisoner on parole or on furlough. However, nobody can insist that he is entitled to same as a matter of right. Regarding 'hardcore prisoner', State has to consider all facts and circumstances as well as law prevailing at the time of consideration of application for parole or furlough and not from the date when the crime was committed, as is the law stated by Division Bench of this Court in Vakil Raj Vs. State of Haryana & others, 2016 (2) RCR (Criminal) 1040.

Consequently, I find no ground to issue any direction/s to the respondents to release the petitioner on emergency parole and would dismiss the petition.

12.09.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>