

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-1486-2019 (O&M)
Date of decision: 18.12.2019

Major Singh @ Rohi

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. J.S. Dhaliwal, Advocate,
for the petitioner.

Mr. Bhupinder Beniwal, A.A.G., Punjab.

Jitendra Chauhan, J.

This petition under Articles 226/227 of the Constitution of India read with Section 3(2) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, for direction to the respondents to release the petitioner on parole for six weeks for house renovation as also to meet his family members.

As per the reply, the petitioner is undergoing life imprisonment in case FIR No.10 dated 31.01.2011, registered under Sections 302 and 376 read with Section 34 of the Indian Penal Code at Police Station Sardulgarh, District Mansa. It is submitted by learned State counsel that as per The Punjab Good Conduct Prisoners (Temporary Release) Amendment Act, 2015, which was notified on 07.01.2016, the petitioner now falls under the

category of hardcore prisoners and thus, the parole has been rightly denied to him.

Heard.

The argument with regard to the petitioner coming under the category of hardcore prisoners in view of the amendment in the relevant provisions cannot be accepted at this stage. The petitioner stood convicted before the amendment came into being and therefore, cannot be applied in this case. This is to be noticed that the petitioner has not misused the concession of parole earlier granted to him on three occasions.

In the circumstances, the present petition is allowed and the petitioner is granted parole for four weeks subject to furnishing surety bonds to the satisfaction of the Duty Magistrate. The petitioner shall surrender before the jail authorities on the date and time to be noticed by the releasing Court/Duty Magistrate.

Copy of the order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary.

(JITENDRA CHAUHAN)
JUDGE

(ARCHANA PURI)
JUDGE

18.12.2019

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Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No