

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

CRWP No.1713 of 2019.

Date of Decision: 19.12.2019.

Harpreet Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : **Hon'ble Mr. Justice Jitendra Chauhan**
 Hon'ble Mr. Justice Lalit Batra

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

Mr. Bhupinder Beniwal, AAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The prayer in the present petition is to issue a writ of certiorari to quash order dated 19.04.2018 (Annexure P-1) vide which the prayer of the petitioner for grant of parole to meet the family was declined by respondent No.2.

It is asserted that the petitioner earlier preferred CRWP No. 1261 of 2016 seeking parole which was declined by the State by observing that the statements of responsible persons were recorded and on the basis thereof, an apprehension was raised that the petitioner being an anti-social element may abscond.

The impugned order dated 19.04.2018 (Annexure P-1) has been passed considering the apprehension and threat to the life and liberty of complainant Sunil Kumar at the hands of the petitioner. Learned counsel for the petitioner further states that the petitioner in

pursuance to order dated 20.03.2017 passed in CRWP No.1261 of 2016 was released on four weeks' parole on 24.03.2017 and surrendered back to Jail on the due date. It has been further recorded that no negative report during the stay on parole was received in the office of the respondents.

The Court feels that the stand taken by the State in CRWP No.1261 of 2016 as well as in impugned order (Annexure P-1) is identical except for the fact that in the earlier petition, the statement of responsible persons was recorded, here the statement of the complainant has been recorded. Considering the fact that the petitioner did not misuse the order of parole dated 20.03.2017, the Court is inclined to accept the prayer made in the petition particularly when there is a specific acknowledgment of the fact in the reply that no negative report during the stay on parole was received. Accordingly, the present petition is allowed. The petitioner is allowed two weeks' parole to the satisfaction of the District Magistrate, Amritsar. The date of release and surrender to be noticed by the concerned District Magistrate.

The writ petition stands disposed of accordingly.

(JITENDRA CHAUHAN)
JUDGE

(LALIT BATRA)
JUDGE

19.12.2019
SN

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No