

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

CRWP No.6072 of 2020

Date of Decision: 03.09.2020

Hari Chand @ Billu

....Petitioner

Versus

U.T. Chandigarh and another

....Respondents

***CORAM :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Naresh Dilawari, Advocate
for the petitioner.

Mr. Gautam Dutt, Addl. Public Prosecutor
U.T., Chandigarh.

DAYA CHAUDHARY, J. (ORAL)

Petitioner-Hari Chand @ Billu has filed the present petition for grant of *parole* to meet his family members and to settle all domestic affairs after the death of his mother, who has expired on 25.06.2020.

Learned counsel for the petitioner submits that earlier also on two occasions, the petitioner was granted parole and he never misused that concession. He further submits that after the death of mother of the petitioner, certain household activities are to be settled/managed. The claim of the petitioner has been rejected on the ground that there is an apprehension that he may misuse that concession.

Learned counsel for the respondent-U.T. Chandigarh has opposed the submissions made by learned counsel for the petitioner on the ground that as per information supplied by local police, there is an apprehension that the petitioner may misuse the concession if granted by

this Court.

Heard the arguments of learned counsel for the parties and we have also perused the documents available on the file including the order of rejection of parole.

Simply, it has been mentioned that the petitioner may misuse the concession as there is an apprehension. However, in the reply, the ground of apprehension has not been mentioned. Admittedly, earlier on two occasions, the petitioner was released on parole and there was no complaint against him. He did not misuse that concession. It has also not been disputed that mother of the petitioner has expired on 25.06.2020 and his wife and minor son are there in the family and after the death of his mother, he has to manage certain household activities. Neither any complaint has been made by the complainant nor any ground of apprehension that the petitioner may misuse the concession has been brought on record.

Accordingly, we allow this petition. The impugned order dated 03.03.2020 (Annexure P-1) is also set aside. The petitioner is directed to be released on parole for a period of three weeks. He is directed to surrender before the authorities immediately after the expiry of period of three weeks. It is also directed that the petitioner will report to the local police station once in a week.

(DAYA CHAUDHARY)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

03.09.2020
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No