

CRWP-505-2021

Date of Decision: 26.02.2021

MOHD. BASIM @ JHALLA

... PETITIONER

VS.

STATE OF PUNJAB AND OTHERS

.. RESPONDENTS

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

Present : Ms. Hema Kakkar, Advocate
for the petitioner.

Mr. H.S.Sullar, Deputy Advocate General, Punjab.

JITENDRA CHAUHAN, J.(ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The petitioner, a life convict, has filed the present Criminal Writ Petition under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. and the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 for grant of six weeks parole for meeting and taking care of his family members.

Learned counsel for the petitioner submits that old aged mother of the petitioner is living alone and there is none in the family to take care of her. There is no material available with the State to reach to the conclusion that if the petitioner is released on parole, he may endanger the security of the State. The petitioner has been acquitted in many cases and at present there are only 03 cases pending against him.

On the other hand, learned State counsel opposes the prayer made by the petitioner and submits that there are 12 cases registered against him. If he is released on parole, there is likelihood of his again indulging in crime. He has three brothers who can look-after his mother.

Heard.

As per the custody certificate (Annexure R-3), the petitioner is involved in as many as twelve cases, out of which he has been acquitted in eight cases on the basis of compromise. It seems that the acquittals had been earned by the petitioner under threat to the prosecution witnesses. Owing to the involvement of the petitioner in a large number of heinous crimes, the apprehension of the respondents with regard to threat to the security of the State cannot be said to be wholly misplaced.

In view of the above, the present petition *sans* merits and is, hereby, dismissed.

Let the main appeal filed by the petitioner in FIR No. 117 dated 24.09.2010 of Police Station Sadar Ahmedgarh for final hearing on 05.07.2021.

(JITENDRA CHAUHAN)
JUDGE

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No

26.02.2021
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