

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRWP-1036-2021

Date of decision: 25.08.2021

Pardeep Kumar @ Balram

.....Petitioner

versus

State of Punjab and Ors.

....Respondents

CORAM: Hon'ble Mr. Justice Jaswant Singh
Hon'ble Mr. Justice Girish Agnihotri

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

Mr. I.P.S. Doabia, Addl. A.G. Punjab.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court on account of restrictions due to COVID-19].

GIRISH AGNIHOTRI, J.

Petitioner-Pardeep Kumar, stated to be aged 26 years (now confined in Central Jail, Patiala), has filed the present petition *inter alia* with a prayer to direct the respondents to release the petitioner on parole for six weeks (to meet his family members) and also to quash the order dated 24.06.2020 (Annexure P-2) passed by respondent No.2, whereby case of the petitioner for parole release has been rejected.

The petitioner is stated to be convicted vide order dated 05.09.2018 and sentenced to undergo rigorous imprisonment for life (against which the petitioner's Criminal Appeal i.e. CRA-D-1158-DB-2018 was disposed of by this Court), in case FIR No.78 dated 12.09.2017 under Sections 363, 366-A, 120-B, 376, 501 IPC and Section 6 of POCSO Act, 2012 registered at Police Station Ramdass, District

Amritsar. Thereafter, vide this Court's order dated 17.03.2020 passed in CRA-D-1158-DB-2018 the sentence u/s 6 of POCSO Act, 2012 was reduced from rigorous imprisonment for life to rigorous imprisonment for 10 years.

Records of the case show that this Court on 05.02.2021 had issued notice of motion. In response thereto, reply has been filed on behalf of respondents No.1 to 4.

A perusal of the memo/order dated 24.06.2020 (Annexure P-2) reveals that the case of the petitioner seeking parole has been rejected by noticing the fact that the ground for parole is to look after his family.

In the order passed by the District Magistrate Amritsar, it has been noticed that the details of the family in the Panchayat Nama were not found to be correct. In the order dated 24.06.2020, reasons have been assigned for not permitting the petitioner the parole prayed for.

This Court finds no merit in the petition filed by the petitioner seeking parole. This Court also does not find any infirmity and illegality in the memo/order dated 24.06.2020 (Annexure P-2) passed by the Competent Authority rejecting the parole of the petitioner.

Accordingly, the present petition is dismissed.

(JASWANT SINGH)
JUDGE

(GIRISH AGNIHOTRI)
JUDGE

25.08.2021 *jyoti3*

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No