

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(219)

CRWP-1324-2021

Date of decision: - 14.09.2021

Robit @ Johni

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Tarun Sharma, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed for quashing of order dated 09.07.2020 (Annexure P-2) passed by the Deputy Commissioner, Ferozepur (respondent No.3), by which, the prayer of the petitioner for the grant of parole for a period of eight weeks has been declined. Further, the prayer of the petitioner is to release him on parole for a period of eight weeks so that he can spend some time with his family members as he is behind bars since long.

Learned counsel for the petitioner argues that the petitioner was convicted in respect of FIR No.03 dated 09.01.2018, registered under Sections 302, 324, 458, 459 and 460 IPC, at Police Station Cantt.

Ferozepur and was awarded the sentence of life imprisonment. Learned counsel for the petitioner further submits that the petitioner is behind bars since 10.01.2018 and the prayer of the petitioner for the grant of parole, as admissible under the Jail Manual, was declined by respondent No.3 on the ground that the release of the petitioner can create public law and order problem. Learned counsel for the petitioner further argues that no justification for the said apprehension was mentioned in the impugned order and therefore, the same is liable to be set aside.

Upon notice of motion, a reply has been filed by the respondent-State, wherein also, it has been stated that rejection of the eight weeks' parole to the petitioner, as being sought by him, was on the ground that there is a threat to the State Security and Public Law and Order.

On the last date of hearing, the respondent-State was directed to file a specific affidavit as to what material was taken into consideration by the authorities i.e. local police to arrive at the conclusion that the petitioner will be a danger to the State Security and public law and order in case granted the benefit of parole.

Today, learned State counsel submits that the police authorities re-considered the prayer of the petitioner and came to the conclusion that the petitioner can be granted the benefit of parole and there will be no threat to public law and order keeping in view the fact there is enough distance between the house of the petitioner and the complainant.

Keeping in view the above-said development, once the

respondents are of the view that there is no hindrance in allowing the petitioner the parole for a period of eight weeks, while setting aside the order dated 09.07.2020 (Annexure P-2), the petitioner is extended the concession of parole for a period of eight weeks.

Learned counsel for the petitioner undertakes that while on parole, the petitioner will maintain good conduct. The violation of the said undertaking, if brought to the notice of this Court, will result in reviewing of the present order.

Present petition stands allowed accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

September 14, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No