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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2667-2020 (O&M)

Date of decision: 18.01.2021

Sandeep Kumar @ Sandy

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Jagjot Singh Lalli, Advocate
for the petitioner.

Mr. Sandeep Vermani, Addl. AG, Punjab.

AJAY TEWARI, J. (ORAL)

CRM-W-65-2021

Application is allowed.

Documents are taken on record.

CRWP-2667-2020

1. Through the present petition under Article 226 of Constitution of India read with Section 3(1) d of The Punjab Good Conduct Prisoner (Temporary Release) Act, 1962, petitioner is seeking issuance of writ in the nature of Mandamus directing the respondents to grant him parole for a period of six weeks to enable him to meet his family members.

2. On 06.01.2021, the following order was passed:-

“Learned State counsel prays for a short adjournment to place on record copy of order dated 26.09.2016 passed in CRWP No.417 of 2016.

Adjourned to 18.01.2021.”

3. In compliance thereof, learned State counsel has placed on record copy of the said order whereby petition was dismissed on the ground that “the petitioner is to be considered as a hardcore prisoner which disentitles him for being released on parole.”

4. The Coordinate Bench of this Court has disposed of the parole application of the co-accused namely, Rohit Kumar @ Babbu vide order dated 30.01.2020 bearing CRWP No.2478 of 2019, operative part of which is as under:-

“The present petition is disposed of with a direction to the respondents to consider the case of the petitioner for grant of parole after considering him as a 'prisoner' and not a 'hardcore prisoner'. The necessary orders be passed within a period of one week from the date of receipt of certified copy of this order.”

5. It is agreed by the counsel before us that this case to be disposed of in terms of order Annexure P-2.

6. Consequently, this petition is disposed of in terms of order dated 30.01.2020 passed by the Coordinate Bench (Annexure P-2).

7. Since the main case has been decided, the pending miscellaneous application(s), if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

18.01.2021
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No