

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.9529 of 2021 (O&M)
Date of Decision:22.12.2021

Sukhwant Singh

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking direction to respondent No.2 to grant parole of six weeks to the petitioner in FIR No.91 dated 31.07.2016 registered under Section 420, 419, 120-B IPC at Police Station Sadar Sri Muktsar Sahib to take care of his wife and the newly born child as there is no other person in the family to look after them.

Counsel for the petitioner would submit that vide order dated 14.12.2021, the petitioner has been allowed parole for a period of two weeks and seeks for extension of the same on the ground that there is “sufficient cause available” to him.

Learned counsel appearing on behalf of the respondent-State on instructions from Mr. Munish Mittal, Law officer, ADGP Jails would submit that as per the provisions of The Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, the petitioner would be entitled to only 16 weeks of parole in total in one calendar year, which would commence from 1st January of that

calendar year. The petitioner had been granted parole from 01.01.2021 till 08.04.2021 and thereafter, on account of order passed by the High Court was again released on parole from 27.05.2021 to 26.08.2021 and now he has been allowed two weeks parole w.e.f. 14.12.2021 till 29.12.2021 and would surrender on 30.12.2021.

I have heard learned counsel for the parties and have perused the paper book. Taking into account that the petitioner, in one calendar year of 2021 has already availed parole of 15 weeks and 6 days and as per the Act itself, he is entitled for 16 weeks' parole in total, his parole is extended by one day i.e. till 30.12.2021 and therefore, he would now surrender before the Jail Authorities on 31.12.2021. This order is being passed in view of the peculiar facts and circumstances of the instant case, which would not be a precedent in any other matter.

With the aforesaid observations, the instant petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

December 22, 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No