

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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(Through Video Conferencing)

CRWP-10547-2021

Date of decision: 03.12.2021

Gurwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, Punjab
for the respondents.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed for directing the respondents to release the petitioner for eight weeks regular parole for enabling him to get him treated from some specialized hospital like PGI as he is suffering from appendicitis pain.

Learned counsel for the petitioner at the outset submits that he would be satisfied if the directions could be issued to the State to decide his legal notice dated 04.08.2021 (Annexure P-3) in the light of the judgment rendered by this Court in ***CRWP-2634-2021 titled as 'Rajesh Kumar @ Goldy Vs. State of Punjab and others' decided on 18.03.2021.*** Learned counsel submits that in ***Rajesh Kumar's case (supra)***, it was categorically held by this Court that amendment to the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 which came into effect on 07.01.2016 would not have a retrospective effect.

Learned counsel, therefore, submits that in the wake of ***Rajesh***

Kumar's case (supra) his case would not fall under the category of 'hard-core prisoner' but only in the category of 'prisoner'.

In the circumstances, the instant petition is disposed of with direction to the respondents to decide the legal notice of the petitioner dated 04.08.2021 (Annexure P-3) expeditiously, preferably within a period of three weeks from today in terms of judgment rendered by this Court in *Rajesh Kumar's case (supra)*.

03.12.2021

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No