

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
101 (PROCEEDINGS THROUGH V.C.)**

CRWP-1303-2022

Date of decision: 11.02.2022

SUNIL KUMAR @ BHIMA

..PETITIONER

Vs.

STATE OF PUNJAB AND ORS

...RESPONDENTS

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL***

Present: Ms. Bhupinder Pal Kaur Brar, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J.(ORAL)

Petitioner has approached this Court praying for issuance of a writ of mandamus for grant of parole on the ground that the marriage ceremony of his real cousin sister (paternal uncle's daughter) is fixed for 20.02.2022 in accordance with the provisions of Section 3 (1) (b) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962.

Learned counsel for the petitioner submits that she does not possess the application which has been moved by the petitioner to the jail authorities and, therefore, was unable to place the same on record. She, however, states that the Invitation Card of the marriage and the Panchayatnama have been appended along with the present writ petition and have also been supplied to the jail authorities but no decision thereon has been taken. She, in any case, states that the petitioner would move a fresh application before the jail authorities which may be considered and a decision taken thereon at the earliest. That apart, it is asserted by the counsel for the petitioner that the case for grant of regular parole to the petitioner

had been initiated by the jail authorities where the competent authority i.e. the District Magistrate has proceeded to accept the said proposal. However, no warrants of release have been issued till date.

In the light of the statement made by the counsel for the petitioner, we dispose of the present writ petition by observing that in case, the petitioner moves an application for grant of parole under the provisions of Section 3 (1) (b) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, the same shall be considered and a decision taken thereon within a period of three days of submission of such application.

In case, the assertion made by the counsel for the petitioner with regard to the case for grant of regular parole to the petitioner having been initiated and a decision has been taken by the District Magistrate is found to be correct, further orders, in pursuance thereto, be passed at the earliest.

The present writ petition is disposed of with these observations/directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

(SANDEEP MOUDGIL)
JUDGE

February 11, 2022
pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No