

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

**CRWP-2275-2020
Date of decision:-9.2.2022**

Gurpreet Singh @ Gopi

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO
HON' BLE MR. JUSTICE H.S. MADAAN**

(Through Video Conferencing)

Present : Mr.Veneet Sharma, Advocate
for the petitioner.

Mr.A.A. Pathak, Addl. Advocate General, Punjab.

M.S. RAMACHANDRA RAO, J.(ORAL)

In this writ petition, the petitioner has challenged the order dt.06.02.2020 passed by respondent No.2 refusing to release the petitioner on parole.

The petitioner had been convicted vide judgment dt. 31.01.2019 passed by Addl. Sessions Judge/Exclusive Court, Amritsar to undergo rigorous imprisonment for a period of 10 years under Section 4 of the POCSO Act, 2012 and since then he is admittedly in custody. He had preferred an appeal bearing No.CRA-S-459-2019 in this Court, which is stated to be pending.

In order to meet his family members, the petitioner made a request on 10.08.2019. The same was rejected, vide order dt. 06.02.2020 after securing report of the Commissioner of Police that the petitioner might abscond after coming home on being released on parole. It is also

stated in the said order that there shall be danger to the security of the State and maintenance of public order.

Counsel for the petitioner states that in the reply filed by the Superintendent of Central Jail, Kapurthala in paragraph No.5, it was stated that the petitioner's conduct in the jail has been satisfactory and that he had undergone 04 years, 10 months and 25 days i.e. almost 05 years as on date.

Having regard to the fact that the petitioner had already completed almost 05 years of the sentence out of 10 years sentence imposed on him, and taking into account the statement in the reply/affidavit of the State that the conduct of the petitioner has been satisfactory while he is in custody, we deem it appropriate to allow this petition.

Accordingly, the petitioner is directed to be released on parole within 02 days from the date of receipt of copy of this order till the expiry of 14 days thereafter, subject to the petitioner providing two local sureties for a sum of Rs.50,000/- each. On the expiry of this period, the petitioner shall surrender before the Central Jail, Kapurthala.

The petition stands disposed of accordingly.

(M.S. RAMACHANDRA RAO)
JUDGE

9th February, 2022
Brij

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No