

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

(PROCEEDINGS THROUGH VIDEO CONFERENCING)

CRWP No.10327 of 2021

Date of Decision: 14.02.2022

Kamlesh

... Petitioner

Versus

The State of U.T., Chandigarh and others

... Respondents

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

Present: Mr. Hoshiar Singh Jaswal, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, APP, UT, Chandigarh.

AUGUSTINE GEORGE MASIH, J. (ORAL)

This writ petition is for grant of special parole to meet his family members under the provisions of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962.

Learned counsel for the petitioner while referring to the order dated 14.07.2021 passed by the Additional Inspector General of Prisons, U.T., Chandigarh (Annexure P-1), submits that the ground for rejection of the special parole that has been sought for by the petitioner, is that the address given by the petitioner in his application for parole has not been verified as his wife is residing in Flat No.2648, Sector 49, Chandigarh.

Learned counsel for the petitioner submits that this has happened because of the fact that after the conviction of the petitioner, she could not reside alone, therefore, had shifted to stay with brother of the petitioner.

Allotment letter issued by the Chandigarh Housing Board to his brother,

Sh. Karan Singh and his wife Smt. Devnti Devi dated 09.07.2010 (Annexure P-2) has been appended along with the writ petition. On the basis of the said allotment letter, he asserts that this is the permanent address at which his family is residing and he intends to meet them during this special parole as prayed for.

Prayer has been made for setting aside the impugned order and for directing release of the petitioner on parole.

Learned counsel for the UT, Chandigarh on the basis of the reply reiterated the stand on which the application for parole submitted by the petitioner was rejected.

We have considered the submissions made by learned counsel for the parties and keeping in view the fact that wife of the petitioner has been found to be residing with the family of the brother of the petitioner, who has been allotted a Flat No.2648/1, Sector-49, Chandigarh by the Chandigarh Housing Board vide allotment letter dated 09.07.2010 (Annexure P-2). The whereabouts of the family of the petitioner are known. The only ground therefore, for rejection of the case of the petitioner for grant of parole is not made out.

In the light of the above, we set aside the order dated 14.07.2021 (Annexure P-1) and order the grant of parole to the petitioner. He be released on parole for a period of four weeks to the satisfaction of the Competent Authority.

(AUGUSTINE GEORGE MASIH)
JUDGE

(SANDEEP MOUDGIL)
JUDGE

14.02.2022

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Whether speaking/reasoned:

Yes/No