

210

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

CRWP-4854-2023 (O&M)
Date of decision:25.07.2023

MANJU

...Petitioner

Versus

STATE OF U.T. CHANDIGARH AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.

Mr. Amit Kumar Goyal, APP, U.T. Chandigarh

Mr. Ankur Mittal, Addl. AG Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)**CRM-W-1049-2023**

Allowed as prayed for.

MAIN CASE

1. The present petitioner becomes aggrieved from a declining order, thus becoming made by the Statutory Authority concerned (Annexure P-1), on his application, claiming relief qua hers being released on parole. The reason as occurs in Annexure P-1, thus for the Authority concerned, being led to make a declining order on the apposite application, is founded on the premise, that since the present petitioner, does not have any permanent address, as she is a resident of illegal colony, thereby there is every possibility of the petitioner abusing the facility of parole, if the same becomes accorded to her.

2. Since apart from the above no other reason has been assigned by the Authority concerned, while making Annexure P-1. Therefore, when the

present petitioner has placed on record an affidavit of her husband one Vijay Kumar, which becomes appended as Annexure A-1 with CRM-W-1049-2023, wherein he has echoed his willingness to furnish the requisite security. Therefore, the apprehension of the Authority concerned, that in the event of parole being granted to his spouse, rather there is every likelihood of hers abusing the said granted facility, thus, thereby becomes completely mitigated.

3. In view of the above, the petition is allowed, and, the impugned order is quashed, and, set aside. The petitioner is ordered to be released from prison thus extending upto a period of 4 weeks from the Jail concerned. The said period shall commence within two days hereafter, and, shall last upto 23.08.2023. In the morning of 24.08.2023, the petitioner is directed to re-step into the prison concerned. However, the above accorded facility of parole to the petitioner shall be subject to her husband furnishing before the Competent Authority, thus in terms of Annexure A-1 as appended with the application (supra), surety bonds in the form of immovable property carrying a value of Rs.2 lacs.

4. In case after the expiry of the above period, the present petitioner does not re-step into the prison concerned, thereupon the SHO of the police station concerned, shall forthwith arrest her, and, thereafter cause her production before the learned Judicial Magistrate concerned, thus for the petitioner becoming recommitted into the prison concerned.

5. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)
JUDGE

25.07.2023

Ithlesh

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:

Yes/No