

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

CRWP-8851-2022

Date of Decision: 20.01.2023

Jagroop Singh @Jagga

.....Petitioner

Vs.

State of Punjab

....Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Ms.Satwant Mehta, Advocate, for the petitioner.

Mr.Navneet Singh, Sr.D.A.G., Punjab.

G.S. SANDHAWALIA,J. (ORAL)

The present petition has been filed for temporary release for grant of parole. The same has been rejected by the Deputy Commissioner Tarn Taran vide order dated 11.07.2022 (Annexure P-3), on an apprehension that he can abscond while on parole and therefore it is not recommended to release him. The same is based on the report received on the basis of the Senior Superintendent Officer, Tarn Taran. On 20.12.2022, the following order was passed:

“Counsel for the petitioner prays for time to place on record the order granting parole to the twin brother, Jagjit Singh, who was also convicted along with the present petitioner.

State counsel shall also file custody certificate of the said person who has been convicted vide judgment dated 11.01.2022 (annexure P-1)”

In pursuance of the same, the State has filed the custody

certificate of the Jagjit Singh, the brother of the petitioner showing that he was granted parole from 20.07.2022 to 15.09.2022 for a period of one month and 26 days and thus, surrendered on time. Custody certificate of the petitioner would depict that he has been in custody for 3 years 9 months and 17 days and no parole has been granted after his conviction, which was recorded on 11.01.2022.

We do not see any reason why there can be a different view qua the siblings by the competent authorities when his brother is already granted the said benefit for release. The claim, as such, is for treatment of the mother also and for the repair of house.

In such circumstances, the order dated 11.07.2022 (annexure P-3) is not sustainable and is quashed. Directions are issued to release him on parole for a period of 6 weeks on furnishing the requisite bail bonds to the satisfaction of the competent authority and he shall surrender back in time in jail premises on the expiry of the said period after his release.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

January 20, 2022
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Whether Speaking	Yes
Whether Reportable	No