

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

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**CRWP-2034-2024 (O&M)
Date of decision: 16.04.2024**

Kewal Singh **...Petitioner**

Versus

State of Punjab and others **...Respondents**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kanisth Ganeriwala, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India seeking issuance of directions to the respondents to decide his case for parole and to release him on parole/temporary release for a period of 08 weeks.
2. Learned counsel for the petitioner has submitted that the petitioner had been convicted and sentenced for a period of 07 years in case FIR No. 175 dated 03.12.2016, under Section 376 IPC at Police Station Talwandi Sabo, District Bathinda, vide judgment dated 28.08.2023, passed by the learned Additional Sessions Judge, Bathinda. He is undergoing his sentence in Central Jail, Bathinda. He has filed an appeal, bearing CRA-S-2619-2023, against his conviction, which has been admitted and pending adjudication by this Court. The petitioner had moved an application before the respondents-authorities seeking grant of parole for a period of 08 weeks on 03.01.2024, which was duly recommended by the Superintendent, Central

Jail, Bathinda. However, no action has been taken by the respondents- authorities on his aforesaid application so far. Therefore, it is argued by learned counsel for the petitioner that appropriate directions be given to the respondents to decide the case of the petitioner for grant of parole expeditiously.

3. Learned State counsel has filed reply, by way of affidavit of Officiating Superintendent, Central Jail, Bathinda, and has submitted that the petitioner has given an application for grant of 08 weeks’ parole and the same is pending for due consideration before the concerned District Magistrate and Senior Superintendent of Police. She has further submitted that due to forthcoming general elections for Lok Sabha, the model code of conduct is applied and the case of the petitioner shall be considered and decided in accordance with law as and when the model code of conduct is lifted after elections.

4. In view of the submissions made by learned State counsel, the present petition is disposed of with a direction to the respondents that as and when the model code of the conduct is lifted after elections, they will consider and decide the case of the petitioner for grant of parole, in accordance with law and in an expeditious manner, preferably within a period of four weeks thereafter.

16.04.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No