

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.227

CRWP-2719-2024 (O&M)
Date of decision : 10.04.2024

Paramjit Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. H.S. Sullar, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner has challenged the order dated 29.02.2024 (Annexure P-1) whereby his application for release on parole has been rejected.

2. Learned counsel for the petitioner submits that the petitioner has been convicted in under Sections 376 & 506 IPC and Sections 4 & 6 of the POCSO Act and sentenced to undergo rigorous imprisonment for 20 years in FIR No.228 dated 14.11.2021, registered at Police Station Dharamkot, District Moga. The petitioner has undergone an actual sentence of over 02 years and 04 months and is not involved in any other criminal case. His case for release on parole has been erroneously rejected by the impugned order.

3. Learned State counsel submits that the report of the Deputy Commissioner-cum-District Magistrate, Moga had stated that the case of the petitioner for release on parole was rejected on the ground of adverse report from the Senior Superintendent of Police, Moga that he may abscond and may indulge in further illegal activities.

4. Heard.

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5. The petitioner has been convicted under Sections 376 & 506 IPC and Sections 4 & 6 of the POCSO Act and sentenced to undergo rigorous imprisonment for 20 years in FIR No.228 dated 14.11.2021, registered at Police Station Dharamkot, District Moga. The petitioner has undergone an actual sentence of over 02 years and 04 months and is not involved in any other criminal case. It is therefore difficult to comprehend as to how the Senior Superintendent of Police, Moga has come to conclusion that on his release on parole, the petitioner will indulge in illegal activities. The petitioner has sought his release on parole to meet his family members and other relatives. It is necessary for the petitioner to maintain his contact with the society which would facilitate his reformation as responsible citizen at the time of his release on parole. It would be in the interest of justice if the petitioner is granted parole for a period of 06 weeks. Therefore, the impugned order rejecting the application for parole of the petitioner is unsustainable.

6. Consequently, the petition is allowed and the impugned order dated 29.02.2024 (Annexure P-1) passed by respondent No.3 is set aside. The petitioner shall be granted parole for a period of 06 weeks subject to his furnishing necessary surety bonds to the satisfaction of the competent authority. He shall surrender in the concerned Jail by 05:00 p.m. after expiry of period of 06 weeks. The SHO concerned shall be informed at the time of release of the petitioner. The petitioner shall furnish his mobile number to the SHO concerned and shall keep his mobile location on during the period of parole.

Pending application(s), if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

10.04.2024

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes/No

Yes/No