

2024:PHHC:104405-DB



CRWP-6855-2024 (O&M)
Date of Decision: 13.08.2024

Gurdeep Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

**CORAM: HON’BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON’BLE MR. JUSTICE SANJAY VASHISTH**

Present Mr. Vishal Sharma (Vasudeva), Advocate for the petitioner.

Mr. Dhruv Dayal, Addl. AG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. This is a petition seeking parole in terms of Section 3(1)(d) of the Punjab Good Conduct Prisoners (Temporary) Release Act, 1962.
2. The petitioner is convicted for offence under Section 376 of the Indian Penal Code and Section 6 of the POCSO Act in FIR No.335 dated 16.11.2021.
3. The parole was denied by the respondents on the basis of report submitted by the District Magistrate, SAS Nagar, stating that if the convict comes out on parole, he can harm the complainant of the case and victim girl.
4. The apprehension is too vague and the same cannot be believed as there is no other case registered against the petitioner.
5. We also find that no case under the Prisons Act, has been registered against the petitioner as his behaviour in the jail has not been found to be in any manner adverse.

6. In view thereto, the petitioner is entitled to regular parole under the Act, 1962 and accordingly we grant him parole as per rules for a period of eight weeks from the date of release and he shall accordingly surrender before the jail authorities on expiry of period of eight weeks.
7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SANJAY VASHISTH)
JUDGE

13.08.2024
rajesh

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No