



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

CRWP-6946-2024

Date of decision: 23.08.2024

Balwinder Singh @ Bidhiya

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sarabjit Singh Cheema, Advocate and
Mr. T.S. Hundal, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Article 226 of the Constitution of India read with Section 3 of the Punjab Good Conduct Prisoners Temporary Release Act, 1962 praying for issuance of a writ in the nature of certiorari for setting aside order dated 20.05.2024 (Anneuxre P-4) passed by learned District Magistrate, Moga, whereby his prayer for grant of parole for 08 weeks to take care of his family and agriculture land was declined, and for granting parole to the petitioner.

2. Short reply by way of affidavit of Rajiv Kumar Arora, PPS, Superintendent, Central Jail, Faridkot, on behalf of the respondents has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned State counsel while drawing the attention of this

**CRWP-6946-2024**

Court to the reply, has not been able to dispute that although the petitioner was previously involved in 18 cases, however, he already stands acquitted in 10 of those cases whereas in the remaining 09 cases he has served out his sentence. Learned State counsel has, however, submitted that there is one more case pending against the petitioner wherein he has been sentenced to 02 months simple imprisonment.

4. I have heard learned counsel for the parties and perused the relevant material on record including the reply which has been filed in the Court today.

5. A prayer has been made in the instant petition by the petitioner for being extended the benefit of parole for 08 weeks to meet his family and take care of his agricultural lands. In view of the above facts and circumstances, this Court deems it fit to extend the benefit of parole to the petitioner.

6. As a sequel to the above, the present petition is allowed and the petitioner is granted parole for a period of 08 weeks from the date of his release to the satisfaction of the District Magistrate concerned. The District Magistrate would impose any suitable conditions, which may be required to secure the presence of the petitioner in the jail after the expiry of parole period.

23.08.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No