



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

202

CRWP-7368-2024 (O&M)  
*Date of Decision:03.09.2024*

*NEENA*

*.....Petitioner*

V/s.

*STATE OF PUNJAB AND OTHERS*

*...Respondents*

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

Present Ms. Anju Sharma, Advocate for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Punjab

\*\*\*

**SANJEEV PRAKASH SHARMA, J. (Oral)**

1. We have heard learned counsel for the petitioner as well as counsel for the State.
2. Learned counsel for the State has placed on record the report relating to the health condition of the wife of the petitioner. In paragraph No.5 of the petition, the petitioner has mentioned that his wife had met with an accident and suffered fracture in both the legs. The report submitted by the respondent speaks otherwise and it is reported that a statement has been made by the wife of the petitioner that she is fit and she does not require any assistance of anyone including her husband for her day to day activities.
3. Be that as it may, it appears that the petitioner who is in jail, may have received wrong information from someone and has mentioned the same in his application. The question still arises whether the petitioner is entitled for parole of 8 weeks as prayed by him. The denial on the part of the respondent is solely on the basis that there was likelihood of causing

disturbance, however we are not impressed by the submission of the respondents with regard to denying 8 weeks parole in terms of the Rules. The petitioner falls within the ambit of Section 3(2)(a) and (d) of the Punjab Good Conduct Prisoners (Temporary Release), Act, 1963. There is no report of any mis-conduct of the petitioner in jail. There is no such external apprehension of his absconding.

4. In view of the above, we are satisfied that the order passed by the respondents rejecting the application of the petitioner for parole does not have any basis and the same deserves to be set aside. We accordingly quash order dated 13.05.2023 (Annexure P-1) and direct that the petitioner be released on parole for **eight weeks** as per Rules on furnishing the bail and surety bonds to the satisfaction of the concerned jail authorities. It is further directed that the petitioner shall surrender himself in the Jail where he is lodged presently after expiry of **eight weeks** parole, positively.

5. Criminal Writ Petition stands allowed accordingly.

6. All pending applications filed in this case shall stand disposed of accordingly.

**[SANJEEV PRAKASH SHARMA]**  
**JUDGE**

**September 03, 2024**  
*dinesh*

**[SANJAY VASHISTH]**  
**JUDGE**

|                                    |   |            |   |           |
|------------------------------------|---|------------|---|-----------|
| <i>Whether speaking / reasoned</i> | : | <i>Yes</i> | / | <i>No</i> |
| <i>Whether Reportable</i>          | : | <i>Yes</i> | / | <i>No</i> |