



CRWP-8837-2024(O&M)

1

209

In the High Court of Punjab and Haryana at Chandigarh

CRWP-8837-2024(O&M)

Date of Decision: 04.10.2024

HARPREET SINGH @ HAPPY

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI

Present: Ms. Neha Jain, Advocate for the petitioner.

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

ANUPINDER SINGH GREWAL, J (ORAL)

CRM-W-1232-2024

Allowed as prayed for.

Affidavit is taken on record subject to all just exceptions.

Main case

The petitioner has challenged the order dated 03.07.2024 (Annexure P-2) whereby his application for release on parole has been declined.

2. Learned counsel for the petitioner submits that the petitioner has been convicted for the offences punishable under Sections 363, 366, 376, 506 IPC and Section 4 of the POCSO Act. He has undergone an actual sentence of 03 years, 04 months and 20 days and is not involved in any other criminal case.

**CRWP-8837-2024(O&M)**

2

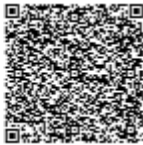
The case of the petitioner for release on parole has been rejected on the ground that the petitioner is resident of the same village where the victim resides and their houses are in close proximity. She further submits that the petitioner has filed an affidavit that he shall not visit the village Dayalpura, District Bathinda, where the victim and the family of the petitioner resides. He shall reside in village Keharawala, Tehsil Rania, District Sirsa, which falls under the jurisdiction of Police Post Jiwanagar, Police Station Rania, District Sirsa.

3. Learned State counsel while referring to the reply submits that the case of the petitioner was rejected on the ground that the victim resides in the same village.

4. Heard.

5. The petitioner has been convicted in this case and undergoing the sentence. Besides the aforementioned case, he is not involved in any other criminal case. His case for release on parole has been *inter alia* rejected on the ground that the petitioner resides in the same village where the victim resides. However, the petitioner has filed an affidavit that he shall reside in village Keharawala, Tehsil Rania, District Sirsa and not visit the village where the victim resides. It is necessary for the convict to maintain his contact with the society which would facilitate his reformation and turn him into a responsible citizen at the time of his release.

6. Consequently, the petition is allowed and the order dated 03.07.2024 (Annexure P-2) is set aside. The petitioner shall be released on parole for a period of 05 weeks subject to his furnishing necessary surety bonds



CRWP-8837-2024(O&M)

3

to the satisfaction of the competent authority and on expiry of 05 weeks, he shall surrender to the concerned jail. Concerned SHO shall also be informed.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

04.10.2024
Prince

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No