



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRWP-9204-2024

Date of decision: 30.09.2024

RAJ KUMAR

...Petitioner

VERSUS

STATE OF PUNJAB AND ORS

...Respondents

CORAM : HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

Mr. Kuljit Singh, Addl. A.G., Punjab.

SUDHIR SINGH, J.(ORAL)

By way of the present Criminal Writ Petition, the petitioner seeks issuance of a writ in the nature of Certiorari for quashing the order dated 28.06.2024 (Annexure P-5) passed by respondent No.5-Superintendent, Central Jail, Faridkot, whereby, release of the petitioner, on regular parole, for a period of 08 weeks, to enable him to meet his family members and look after his family affairs, has been declined.

2. The petitioner is a convict and is sentenced to undergo imprisonment for 20 years in FIR No.561 dated 02.08.2009, under Sections 302 read with Section 120-B IPC and Section 25 of Arms Act, registered at Police Station Kotwali, Bathinda. Presently, the petitioner is confined in Central Jail, Faridkot.

3. Notice of motion was issued in this case on 20.09.2024. Today, on resumed hearing, reply, by way of an affidavit dated 29.09.2024 of Deputy Superintendent of Police, Sub Division City-1, District Bathinda on behalf of respondent Nos. 1 to 2, has been tendered in the due course of hearing by learned State counsel. Same is taken on record. Learned State counsel has submitted that there are number of cases pending against the petitioner.



4. Learned counsel for the petitioner submits that on an earlier occasion also, vide order dated 06.12.2023 (Annexure P-4) passed by a Co-ordinate Bench of this Court, the petitioner was granted 04 weeks’ parole and he had never misused the said privilege.

5. We have heard learned counsel for the petitioner as well as learned State counsel and have also perused the case file.

6. Keeping in view the fact that on the previous occasion also, the petitioner was released on 04 weeks’ parole vide order dated 06.12.2023 (Annexure P-4) passed by a Co-ordinate Bench of this Court and he had never misused the same, we set aside the impugned order dated 28.06.2024 (Annexure P-5) and grant 06 weeks’ parole to the petitioner commencing from the date of release, subject to his furnishing fresh bonds to the satisfaction of the competent authority/Chief Judicial Magistrate/Duty Magistrate concerned. The period of 06 weeks shall be counted from the date of his release. The releasing Court/Duty Magistrate shall also notify the dates of release and surrender of the petitioner. The petitioner shall surrender before the jail authorities on the date and time to be notified by the releasing Court/Duty Magistrate. After surrender, the petitioner shall furnish a surrender certificate.

7. With the aforesaid observations/directions, the instant petition is disposed of.

(SUDHIR SINGH)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

September 30, 2024

Nisha Yadav

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No