



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

239

CRWP-9457-2024
Date of decision: 16.12.2024

PRITAM SINGH

....Petitioner

Versus

STAE OF PUNJAB AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Ms. Anupam Bhanot, Advocate
for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL. J.(Oral)

1. This is a petition under Articles 226 and 227 of the Constitution of India for issuance of writ in the nature of certiorari for setting aside the impugned order dated 04.09.2024 (Annexure P-1) whereby temporary release/parole under Section 3(1)(A&D) of Punjab Good Conduct Prisoner Temporary Release Act, 1962 and Amendment Act 2015 (amended upto date) seeking parole for a period of 08 weeks was rejected.
2. Learned counsel for the petitioner submits that the petitioner is entitled for 08 weeks parole but the application of the petitioner has been declined by the competent authority on the ground that the petitioner is involved in multiple cases, with the apprehension that in case he is released on parole, he may indulge in heinous crimes.
3. Learned State counsel while referring to the reply submits that the petitioner does not deserve the concession of parole being habitual offender, who

is involved in as many as 08 cases. Moreover during parole period also Sections 420 and 120B of IPC registered against the petitioner, which is sufficient for this Court to infer that the petitioner would indulge in heinous crime.

4. This Court after having heard learned counsel for the respective parties, is of the considered opinion that mere apprehension for indulging of the petitioner in heinous crimes cannot be a ground for rejection of his parole. The Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 and Amendment Act 2015 provides some statutory rights to a convict to be released on parole for certain purposes i.e to meet his family members and remain in touch with the society which will help him in his reformation as a responsible citizen.

5. In view the aforesaid facts and circumstances, and also the fact that the petitioner himself being 68 years of age wishes to meet his old parents, who may be at the last stage of their life being more than 80 years of age, therefore, this Court deems it a fit case for grant of parole to the petitioner.

6. Consequently, the petition is allowed and the impugned order dated 04.09.2024 (Annexure P-1) is hereby set aside/quashed. The petitioner is ordered to be released on parole for a period of 04 weeks i.e. from 17.12.2024 to 13.01.2025, subject to his furnishing necessary surety bonds to the satisfaction of the competent authority and on expiry of 04 weeks, he shall surrender back to the concerned jail authorities on or before 13.01.2025 at 5:00 PM.

16.12.2024
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(SANDEEP MOUDGIL)
JUDGE

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