

3. Learned State counsel while referring to the reply filed on behalf of respondent No.3 submits that the case of the petitioner for his release on parole has been recommended by the Panchayat, but voter cards of the petitioner and his wife indicated that they are residing in Amritsar, while petitioner has been living with his family members for the last seven years in a rented house at village Fatehpur, which belongs to Harjainder Singh son of Bhola Singh, village Thande, Police Station Islamabad, District Amritsar. It is further stated in the reply that family of the petitioner has been frequently changing their residence and presently living on rent in village Fatehpur.

4. Heard.

5. The petitioner has been convicted in the afore-noted case and is undergoing his sentence. He has undergone sentence of 03 years, 11 months and 16 days and he is not involved in any other criminal case. His case for release on parole has been rejected on the ground that while his Voter Card/ Aadhaar Card indicates that he is resident of Amritsar, but actually he is residing in village Fatehpur along with his family members for the last seven years. Counsel for the petitioner has categorically stated that the petitioner would be residing at village Fatehpur during the period of parole. It is necessary for a convict to maintain his contact with society to enable his reformation and transform him into a responsible citizen at the time of his release after completion of sentence. Consequently, we are of the considered view that impugned order dated 23.08.2024 (Annexure P-2) has been passed without application of mind. Thus, impugned order (Annexure P-2) rejecting the case of the petitioner for release on parole is unsustainable and deserves to be set aside.

6. Consequently, the petition is allowed and the impugned order dated 23.08.2024 (Annexure P-2) is set aside. The petitioner shall be released on parole for a period of six weeks subject to his furnishing necessary surety bonds to the satisfaction of the competent authority and on expiry of six weeks, he shall surrender to the concerned jail.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

06.11.2024
jitender

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