



CRWP-1685-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRWP-1685-2025 (O&M)
Date of decision : 05.03.2025

Parmod Alias Modi

...Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present:- Mr. Sahil Choudhary, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged order dated 24.01.2025 (Annexure P-1) whereby his application for release on parole has been rejected.

2. Learned counsel for the petitioner submits that the case of the petitioner for his release on parole has been rejected on the ground that he had committed a murder which is wholly untenable. The petitioner is not involved in any other criminal case and is undergoing sentence since the date of his conviction.

3. Learned State counsel has filed reply on behalf of the respondents No.1 to 5 which is taken on record. Learned State counsel while referring to the reply submits that the case of the petitioner for his release on parole had not been recommended by the District Magistrate, Sonipat.

4. Heard.

5. It is the case of the petitioner that he has been convicted in only one FIR No. 115 dated 08.02.2018 registered under Sections 148, 201, 511, 302, 364, 149 of IPC and sentenced to undergo life imprisonment. He has undergone an actual sentence of 04 years, 07 months and 09 days and he is stated to be involved in any other but he has been



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acquitted therein. There is no other pending criminal case against the petitioner. The Full Bench of this Court in the case of **Achan Kumar Vs. State of Punjab and others** bearing IOIN-CRWP-3259-2024 in CRWP-3259-2024 decided on 02.09.2024 had issued directions to the competent authorities that the applications for parole have to be decided objectively on the basis of relevant material furnished by the Police, Local Panchayats and only in cases, where they receive cogent, tangible and concrete evidence indicating that the prisoner if released on parole, would be an imminent threat to the security and peace of the area, only those applications could be rejected. It was also held that in the event of the competent authority not objectively applying their mind to the applications for parole they would be liable for censure/disciplinary action.

6. Mr. Manoj Kumar, District Magistrate, Sonipat who is present in the Court submits and assures this Court that henceforth he shall be careful in dealing with the applications for the release of the prisoners on parole in accordance with law laid down by the Full Bench in the case of **Achan Kumar(supra)**. He also submits that the case of the petitioner for parole would be reconsidered and order would be passed afresh by the competent authority within a period of four weeks.

7. We are satisfied with the explanation offered by the District Magistrate, Sonipat. The grievance of the petitioner appears to be substantially redressed and the petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

05.03.2025

sapna

Whether speaking/reasoned :
Whether reportable

Yes/No
:Yes/No