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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP-1621-2025
DECIDED ON: 01.04.2026**

PARDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
 HON'BLE MS. JUSTICE SUKHVINDER KAUR**

Present: None for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

ANOOP CHITKARA J (ORAL)

Prayer in the present petition, under Article 226 of the Constitution of India is to release the petitioner on 10 weeks regular parole leave under Section 3 of Haryana Good Conduct Prisoners (Temporary Release) Act 2022 to meet his family members and quashing of the order dated 10.01.2025 (Annexure P-2) whereby request of petitioner was declined.

2. The matter has been called twice, but none has put in appearance on behalf of the petitioner.

3. Learned State Counsel has produced the custody certificate of the petitioner in the Court today, which is taken on record. He submits that parole was denied to the petitioner as he did not fulfill the requisite parole conditions and

refer para No.6 and 7 of reply dated 25.03.2025 which read as follow:-

“That earlier the convict/petitioner came under the category of hardcore as he was convicted and sentenced under section 394/397 IPC but after completing the five years of his imprisonment in Jail, 03 weeks parole for house repair was granted by the Commissioner Hisar, Division Hisar (i.e. competent authority to grant parole) vide order no. P-38/H-1/234-35 dated 27.03.2020. Accordingly, the convict/petitioner was released from this jail on 31.03.2020 for 03 weeks parole on his furnishing requisite sureties to District Magistrate, Hisar, vide order No. 284/PB dated 31.03.2020 and directed to surrender at Central jail-1, Hisar on 22.04.2020, but the parole of the petitioner/convict was extended time to time due to Covid-19 and the petitioner/convict was surrendered on 15.03.2021 at this jail. During this parole period the petitioner/convict was found involved in a crime dated 12.01.2021. In this regard a case bearing FIR No. 154 dated 05.04.2021, U/s 365/384/506 IPC, P.S. Civil Lines Kaithal was registered against the petitioner/convict as per production warrant received in this office on 22.4.2023 (copy of FIR is annexed as annexure R-1). Therefore, the petitioner/convict comes under the category of hardcore prisoner as per section 2(1)(g)(vi) of Haryana Good Conduct (Temporary Release) Act 2022,

which is reproduced as under:-

*2(1) (g) "hardcore convicted prisoner" means any prisoner-
(vi) "who commits a cognizable offence punishable with imprisonment for a period of seven years or above during confinement in the jail or during his temporary release under this Act; or*

7. That as per provisions of Section 6(3) of the Haryana Good

Conduct Prisoners (Temporary Release) Act 2022, a hardcore prisoner can be released on temporary basis or on furlough after completion of five years of imprisonment, Section 6(3) is reproduced as under:-

"(2) Notwithstanding anything contained in sub-section (1), a hardcore convicted prisoner who has not been awarded death penalty or life imprisonment till natural life and has completed five years of his sentence (including maximum two years under trial period) without committing any major jail offence or any cognizable offence during the last five years, shall be entitled for emergency parole or regular parole or furlough at par with convicted prisoners. Such period of five years shall be counted from the date of his latest offence or act which falls under the category of hardcore convicted prisoner;

Hence, the petitioner/convict has not completed requisite five years imprisonment since 05.04.2021 (i.e. date of latest offence). The petitioner will be eligible for parole/furlough after completion of five years imprisonment and if maintains good conduct in Jail till then"

4. Perusal of the order reflects that it was passed on 10.01.2025 and period of more than one year has already been elapsed. Petitioner is still in custody, no doubt he is involved in other cases, but the fact remains that earlier he was granted parole.
5. Given above, the order passed by respondent No.3 dated 10.01.2025 Annexure P2 is set aside with direction to respondent to consider his prayer afresh in the present scenario and pass a fresh reasoned order without being influenced by the earlier order and order so passed be also communicated to the petitioner without any delay.
6. All pending miscellaneous application if any stands disposed of.
7. It is clarified that if petitioner has filed any fresh parole application, no

need to consider the old application and respondent shall pass order in the said application.

(ANOOP CHITKARA)
JUDGE

April 01, 2026
poonam

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether reportable</i>	<i>Yes/No</i>