

232 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026-PHHC-063711



CRWP-1790-2026 (O&M)
Date of Decision: 24.04.2026

SHISH PAL

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present- Mr. Sachin Kamboj, Advocate for the petitioner.
Mr. Rakesh Kumar Jangra, A.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The present petition under Article 226 of the Constitution of India read with section 528 of B.N.S.S. read with section 3(1)(c) of the Haryana Good Conduct Prisoners (Temp. Release) Act, 1988 to quash the impugned order dated 21.01.2026 (Annexure P-2) passed by the Superintendent of Jail, District Jail, Yamuna Nagar and to release the petitioner on parole for six weeks to enable him to attend the wedding ceremony of his niece (Bhanji).

2. Learned State counsel has filed the custody certificate in the Court today and the same is taken on record.

3. A perusal of Annexure P-2 shows that the petition for parole of the petitioner was dismissed on the ground that petitioner was sentenced for life imprisonment in Case No. 208 dated 26.11.2002, Section 302 IPC, Police Station Indri, Karnal and was released from District Jail, Karnal on 10.03.2012 for a three weeks furlough to meet his family. The petitioner was directed to surrender before the jail on 01.04.2012; however, he did not report to the jail authorities on time and became an absconding fugitive from furlough. Following his escape, a case (No. 52 dated 06.05.2012) was registered by the local police under Section 8/9 of the HGCP Act 1988 at Police Station Radaur. He was eventually re-arrested and

returned to jail on 18.08.2022, after 10 years, 04 months, and 17 days. Due to being a fugitive from furlough, the petitioner falls under the "Hardcore" category according to the Parole Amendment Act 2022.

4. It was further mentioned in the impugned order that as per "The Haryana Good Conduct Prisoner Act (Temporary Release) Act 2022 sub-section 2(g)(v): A prisoner who fails or failed to surrender himself within a period of ten days from the date on which he should have so surrendered on the expiry of the period parole/furlough for which he was released" shall come in Hardcore category Parole Act 2022, which reads as under: sub-section (6)(3) "Notwithstanding anything contained in sub-section (1), a hardcore 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 prisoners." Therefore, according to the rules mentioned above, parole could not be granted to the petitioner at that time.

5. As the petitioner does not fall eligible for parole as per the Haryana Good Conduct Prisoner Act (Temporary Release) Act 2022, I find no infirmity in the order dated 21.01.2026 (Annexure P-2) passed by the Superintendent of Jail, District Jail, Yamuna Nagar and the petition is hereby dismissed.

24.04.2026
Janki

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No