

CRWP 7263 of 2025

2026:PHHC:013715-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRWP 7263 of 2025 (O&M)
Date of Decision:30.01.2026

Karan @ Shubham

...Petitioner

Vs.

State of Punjab and others

...Respondents

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

Present : Mr. P.S. Bhandari, Advocate, for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Article 226 of the Constitution of India for quashing the order dated 04.06.2025 (Annexure P-1) passed by respondent No.2, whereby his request for grant of parole has been declined. A prayer has also been made to issue appropriate directions to respondents to release the petitioner on parole for a period of eight weeks.

2. Learned counsel for the petitioner submits that the petitioner has applied for parole to meet with his family members and

for restoring social ties. Learned counsel next contends that the petitioner is not a habitual offender and this fact was even admitted in the reports relied upon by the respondents while passing the impugned order and mere reference to the seriousness of the offence cannot be a valid ground to deny parole. Learned counsel further contends that the apprehension expressed by the police authorities regarding a possible law and order situation is not supported by any concrete material.

3. On the other hand, learned State counsel submits that there is no infirmity or illegality in the impugned order and that the petitioner, if released on parole, may create law and order situation and jump the parole. The petitioner and the complainant are residents of nearby places and some unforeseen incident may happen. As such, the present petition is liable to be dismissed.

4. We have heard learned counsel for the parties and perused the record carefully.

5. Sections 3 and 4 of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 provide for the temporary release of eligible inmates (such as parole or furlough) for specific reasons, including family illness, death, or natural calamity, subject to good conduct. Section 3 provides for the grounds on which release may be granted, while Section 4 provides for the conditions, disqualifications,

and safeguards, including potential denial if release poses a threat to state security.

6. In the instant case, the prayer made by the petitioner for temporary release on parole for a period of eight weeks was declined by respondent No. 2 solely on report received from the office of the Senior Superintendent of Police, SAS, Nagar. However, a perusal of the impugned order does not disclose any material or basis on which respondent No. 2 arrived at a conclusion that “if the prisoner is released on parole then there can be a problem of law and order and some unforeseen incident can happen”. Apart from that, it is not the case of the respondent authorities that the petitioner is otherwise ineligible for grant of parole.

7. In view of the above discussion, this Court is of the considered opinion that the impugned order is not sustainable in the eyes of law. Accordingly, the present petition is partly allowed and the impugned order is hereby set aside. The respondents are directed to release the petitioner on temporary parole for a period of four weeks from the date of his release from jail, subject to his furnishing sufficient bonds in terms of the statutory provisions to the satisfaction of the competent authority, which shall also impose such conditions as may be deemed necessary to ensure that the temporary release is not misused. The petitioner shall undertake to maintain peace and good

behaviour during the parole period and shall surrender back to jail immediately upon expiry of the parole period.

8. All pending applications, if any, are disposed off, accordingly.

(N.S.SHEKHAWAT)
JUDGE

(H.S.GREWAL)
JUDGE

30.01.2026
amit rana

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