



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

CRWP-7884-2025

Date of Decision:22.01.2026

Hargobind Singh

...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. Sanjeev Kumar Arora, 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 impugned order dated 09.07.2025 (Annexure P-1) passed by respondent No.2, whereby his request for grant of parole of eight weeks has been rejected.

2. Learned counsel for the petitioner submits that the petitioner was implicated in FIR No.08, dated 20.01.2023 registered under Section 376 of IPC and Sections 4 & 6 of POCSO Act at Police Station Badhni Kalan, District Moga. He further submits that the petitioner was convicted by the Trial Court and sentenced to undergo rigorous imprisonment for a period of 20 years and to pay a fine of Rs.50,000/- vide judgment of conviction and order dated 25.01.2024. Challenging the said conviction and sentence, the petitioner has preferred an appeal bearing No. CRA-D-339-2024, which is presently pending adjudication before this Hon'ble Court. Learned counsel further contends that during the pendency of the said appeal, the petitioner submitted an application

before the Superintendent Jail, Faridkot seeking grant of parole, however, the said application was rejected solely on the basis of the report of the Senior Superintendent of Police, Moga by Deputy-Commissioner-cum-District Magistrate, Moga-respondent No.2.

3. Learned State counsel submits that there is no infirmity or illegality in the impugned order and that the petitioner, if released on parole, may disturb public order and may abscond during his parole and 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, Moga. However, a perusal of the impugned order does not disclose any material or basis on which respondent No. 2 arrived at a conclusion that “there is apprehension that the prisoner may abscond during his parole period and disturb the local peace (public order) among the general public.” 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. The petitioner shall not try to contact or intimidate the victim or any other family member of the victim.

(N.S.SHEKHAWAT)
JUDGE

(H.S. GREWAL)
JUDGE

22.01.2026
hitesh

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