

2026:PHHC:016284-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRWP 9403 of 2025
Date of Decision:04.02.2026

Muskeen Ali		...Petitioner
	Vs.	
State of Punjab through its Secretary and others		...Respondents

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

Present : Ms. Satinder Kaur, Advocate, for the petitioner.
Mr. Charanpreet Singh, 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 06.03.2025 (Annexure P-3) passed by respondent No.5, whereby his request for grant of parole has been declined in a mechanical way.
2. Learned counsel for the petitioner submits that the petitioner has applied for parole in order to visit his home, meet his family members, attend the domestic affairs, and to facilitate the

medical treatment of his mother (*khala*), whose health condition requires immediate and personal attention. Learned counsel next contends that the petitioner is entitled to the grant of regular parole for a period of eight weeks in terms of Section 3 of *The Punjab Good Conduct Prisoners (Temporary Release) Act, 1962* (as amended in 2015–16) read with Punjab Government Notification dated 13.12.2018 bearing No. 30-PLA-2018/61 and also fulfills all statutory requirements for the grant of parole and has maintained good conduct during incarceration and his application for parole has been declined in a mechanical way.

4. On the other hand, the learned State counsel submits that there is no infirmity or illegality in the impugned order and that the petitioner, if released on parole may pose a threat to State security and may also disturb public order and the present petition is liable to be dismissed.

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

6. 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.

7. 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. 5 solely on report received from the office of the the Senior Superintendent of Police, Pathankot. However, a perusal of the impugned order does not disclose any material or basis on which respondent No.5 arrived at a conclusion that “ the release of the said prisoner on parole poses a threat to State security and also carries the risk of disturbing public order.” Apart from that, it is not the case of the respondent authorities that the petitioner is otherwise ineligible for grant of parole.

8. 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.

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

(N.S.SHEKHAWAT)
JUDGE

(H.S.GREWAL)
JUDGE

04.02.2026
amit rana

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