

CRWP 11523 of 2025

2026:PHHC:019815-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP 11523 of 2025
Date of Decision:10.02.2026

Gagandeep 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. Tushaar Madaan, 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 10.01.2025 (Annexure P-2) passed by respondent No.3, whereby his application for releasing him on parole has been dismissed. A prayer has also been made to direct the respondents to release the petitioner on parole for a period of eight weeks so that he may take care of his family members and settle the household affairs.

2. Learned counsel for the petitioner submits that the petitioner has applied for 8 weeks' parole to meet his family members

and to attend family responsibilities. The Gram Panchayat has also supported the petitioner's release on parole and there is no threat to the society if the petitioner is released on parole. Learned counsel further contends that the parole application has been rejected solely on the ground that the victim and the petitioner are residents of the same village.

4. 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 cause harm to the victim as both are the residents of same village 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. 3 solely on report received from the office of the Senior Superintendent of Police, Fatehgarh Sahib that the victim and the petitioner are residents of the same village. This Court finds that such a ground is not sufficient to deny parole. There is no material on record to show that the petitioner is likely to harm the victim and the apprehension expressed by the State is based on assumption and not on any report. The Gram Panchayat of the village has supported the petitioner's release and any apprehension of the State can be taken care of by imposing appropriate condition during the period 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. It is made clear that during his release on parole, the petitioner shall not try to contact the family members of the victim/complainant in the present.

(N.S.SHEKHAWAT)
JUDGE

(H.S.GREWAL)
JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No

10.02.2026
amit rana