



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

262

CRWP-7552-2025 (O&M)
Date of decision: 01.12.2025

Kamaljeet Singh @ Lada**...Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. M. S. Saini, Advocate
for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Articles 226/227 of the Constitution of India read with Section 3(1)(d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 (*for short 'Act, 1962'*), the petitioner has made prayer for quashing of order dated 28.05.2025, passed by respondent No. 2, whereby an application filed by him seeking grant of parole for a period of 08 weeks had been declined.

2. The petitioner has been convicted in case arising out of FIR No. 192 dated 10.08.2021, registered under Sections 379-B and 34 of IPC at Police Station Tanda, District Hoshiarpur and is undergoing rigorous imprisonment for a period of 05 years. He has filed an appeal against the judgment of conviction dated 08.10.2024 before this Court, which is pending.

3. It is submitted by learned counsel for the petitioner that the impugned order is not sustainable in the eyes of law as while passing the same, respondent No. 2 did not take into consideration all the aspects of the

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matter and rejected his claim only on the ground that he was involved in 19 other cases and his release would pose danger to state security and there was chances of disturbance of public order in the State. However, the fact that in all such cases, the petitioner had either been acquitted or had undergone his sentence, had been totally ignored. It is further submitted that Sarpanch and members of the gram panchayat of the petitioner had stated that they had no objection if the petitioner is released on parole but this fact too was ignored by the respondents. The grant of parole to enable a convict to meet his family members is an essential facet of human dignity and rehabilitation and such interaction strengthens family bonds and aids the convict's reformation and, therefore, the parole ought to be granted unless there are compelling reasons to deny it. Hence, it is urged that this petition deserves to be allowed and the petitioner deserves to be granted parole for a period of 08 weeks to the petitioner.

4. The respondents have filed reply submitting therein that there is no illegality or infirmity in the impugned order and the petitioner had rightly been denied grant of parole as he was involved in multiple cases. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. Section 3 of the Act, 1962 provides for temporary release of any prisoner on being satisfied of the circumstances as mentioned therein and for the period as mentioned in Section 3 sub-section (2) of the Act, 1962. In the instant case, prayer made by the petitioner for temporary release on parole for a period of 08 weeks had been declined by respondent No. 2 only on the ground that he was involved in 19 other cases and his release may pose danger

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to State’s security and disturb the public order. However, after going through the record, this Court is of the view that the reasons assigned by respondent No. 2 for declining the petitioner’s request for parole are not borne out from the record. The mere fact that the petitioner was previously involved in several other cases cannot, by itself, constitute a valid ground for denial of parole, particularly when it is undisputed that in all such cases he has either already undergone the sentence or stands acquitted. The authority has failed to take into consideration the material aspects including the resolution of the gram panchayat expressing no objection to the petitioner’s temporary release. Parole, being an important measure intended to facilitate humanitarian considerations, maintain familial ties and further the reformatory purpose of incarceration ought not to be denied in the absence of any cogent material indicating that the petitioner’s temporary release would indeed endanger public order or State security. No such compelling circumstance has been brought to the notice of this Court. Accordingly, the impugned order dated 28.05.2025 cannot be sustained and is hereby set aside. The petitioner is directed to be released on parole for a period of **04 weeks**, subject to his furnishing requisite bonds to the satisfaction of the competent authority and compliance with all conditions that may be imposed to ensure his orderly conduct during the parole period. He shall surrender back to jail after expiry of the period of his temporary parole.

01.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No