

(2021) 03 SHI CK 0052
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No.6008 Of 2020

Verinder Singh

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 05-03-2021

Acts Referred:

Citation : (2021) 03 SHI CK 0052

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : Rajvinder Sandhu, Adarsh K. Sharma, Ritta Goswami, Nand Lal Thakur, Yudhvir Singh Thakur

Final Decision : Disposed Of

Judgement

Anoop Chitkara, J

1. Aggrieved by the denial of parole to say final good-bye to old ailing grandmother, Didar Singh, who is a life convict, has come up before this Court, through his father, Verinder Singh, petitioner herein.

2. We have heard Ms. Rajvinder Sandhu, learned counsel for the petitioner and Mr. Adarsh K. Sharma, learned Additional Advocate General, and gone through the record.

3. Vide order dated 02.11.2020, Annexure R-2, the Deputy Commissioner, Solan, did not give consent for parole by assigning two reasons; firstly, that he is involved in heinous offence and secondly, that when he was previously released on parole, he did not join the prison on time. However, reference is made that the panchayat has no objection about his release on bail.

4. A reference be made to Annexure P-3, which is report of Pradhan, Gram Panchayat, Jagatpur, dated 11.12.2020, which reveals that grandmother

of Didar Singh is aged 86-87 years and is seriously unwell. It is further submitted that she wants to say final good-bye to her grand-son and, as such,

Pradhan recommended the release of Didar Singh on parole. Annexure P-1, dated 23.10.2020, issued by the Superintendent of Police, Solan, mentions

that on the last time, when Didar Singh was released on parole, he joined the prison after eight days.

5. In paragraph-3 of the petition, the petitioner explains that on last time in 2019, Didar Singh was late as he fell ill and annexed medical certificate,

Annexure P-2, in this regard.

6. Given the fact that the delay in reporting back to the prison was just eight days coupled with the fact that grandmother of Didar Singh is 86-87 years

of age and as per the report of Pradhan, she is seriously ill and wants to meet her grand-son to say final good-bye to him. The denial of parole would

amount to denial of wishes of old lady, who wants to say final good-bye to her grand-son.

7. Given above, order of rejection dated 02.11.2020, Annexure R-2, and rejection by Superintendent of Police, Solan, dated 23.10.2020, Annexure P-1,

are quashed and set aside and the concerned respondent are directed to immediately release the son of petitioner, Didar Singh, on parole, after

completing legal requirements.

Consequently, the present petition stands disposed of, so also the pending miscellaneous application(s), if any.

Copy dasti.