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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No. 1025 of 2015 (O/M)
Date of decision : 7.4.2016

Sarwan Singh ..... Petitioner

Versus

State of Punjab and others ..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ashish Pannu, Advocate, for the petitioner.

Mr. A.P.S. Gill, Assistant A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The petitioner seeks setting aside of the impugned order dated 31.3.2015 (Annexure-P-1), passed by the District Magistrate, Tarn Taran-respondent No. 4, whereby the application of the petitioner for grant of parole for house repair was rejected.

I have heard the learned counsel for the parties and have also carefully gone through the file.

The parole was rejected on the ground that there are chances of the petitioner fleeing from justice. The report to this effect was made by the Senior Superintendent of Police, Tarn Taran. However, in the report no grounds have been mentioned on account of which the police has such apprehension. The petitioner is stated

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to be convicted in three other cases under the NDPS Act. However, it is not on record that the petitioner has ever tried to flee from justice even in those cases.

In this case, the reply of the State was obtained and the State was directed to state whether the house of the petitioner needs repair.

The report has been filed. The house was got inspected from PWD authorities and it was found that the main gate and the out walls need repair. Therefore, it is apparent that the ground of house repair is genuine. Since there is no report of petitioner fleeing from justice in other cases, therefore, the impugned order dated 31.3.2015 (Annexure-P-1), passed by the District Magistrate, Tarn Taran-respondent No. 4 is set aside and respondent No. 4 is directed to re-consider the case of the petitioner in the light of the observations made above and pass fresh orders, within a period of one month from the date of receipt of certified copy of this order.

Disposed of.

(KULDIP SINGH)
JUDGE

7.4.2016
sjks