

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-543-2016(O&M)

Date of Decision: 28.11.2016

Darbara Singh

.....Petitioner

vs.

State of Punjab and others

.....Respondents

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE DR. SHEKHER DHAWAN**

Present:- Mr.A.S.Trikha, Advocate for the petitioner.
Mr. Gaurav Garg Dhuiwala, D. A. G. Punjab.

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MAHESH GROVER, J(ORAL)

This is a petition under article 226 of the Constitution of India praying for release of the petitioner on parole on the ground that he wishes to meet his family members.

The prayer has been declined by the respondents on the ground that his release is likely to engage his involvement in cases of the similar kind as the one for which he is undergoing conviction as the petitioner resides in a border area.

However, the previous record of the petitioner would reveal his involvement in a case of violence resulting in his acquittal. He, however, suffers from one conviction for an offence pertaining to violation of Section 52-A of the Punjab Prisoner's Act. We are, thus, of the opinion that there is hardly any material or record to justify the apprehensions of the respondent-State to deny the petitioner parole on the ground that he is likely to involve himself in activities of the kind for which he is undergoing conviction in the present case. The reasons, therefor, are unsustainable and sans any foundation.

Consequently, we accept the petition and remit the matter back to the respondents to reconsider the prayer for release of the petitioner on parole as expeditiously as possible but not later than two weeks from the date of receipt of certified copy of the order.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

November 28, 2016
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