

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

CRWP No.1492 of 2016 (O&M)
Date of Decision: March 20, 2017

Harjinder Singh alias Jinda

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Jaswal, Advocate
for the petitioner.

Mr.K.S.Aulakh, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

The petitioner has filed this criminal writ petition under Article 226 of the Constitution of India for issuance of a writ or direction to quash the impugned order dated 07.04.2016 passed by respondent No.2, vide which the application of the petitioner for grant of parole has been rejected.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the perusal of the impugned order dated 07.04.2016, copy of which is placed on record as Annexure P-3, shows that application filed by the petitioner for parole on the ground of house repair has been

dismissed. It is in the order that prisoner (petitioner) has constructed a new two floors' kothi in the fields and the same does not require any repair. The prisoner has two sons in the village, who can do the necessary repair if requires and also doing the agricultural work.

At the time of arguments, learned counsel for the petitioner showed the photographs of two rooms. The photographs of two rooms nowhere show that any repair work is required. From these photographs, it is clear that the house is in good condition. Otherwise also, it is not contested that son of the petitioner is major. If there will be any requirement of minor repair in the house, the son of the petitioner can do the needful.

In view of the above discussion, I find that no illegality has been committed by the competent authority while passing the impugned order dated 07.04.2016.

Therefore, finding no merit in the present petition, the same is dismissed. However, it is observed that this Court has not determined or considered other observations qua threat to security etc., which are mentioned in the impugned order and it is further observed that if any petition is filed by the petitioner on any other ground, that petition is to be decided independently as per law.

March 20, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No