

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

CRWP-174-2017

Date of Decision: 30.05.2017

Jagmohan Lal @ Jaggu

---Petitioner

Versus

State of Punjab and others

----Respondents

**Coram: Hon'ble Mr. Justice Ajay Kumar Mittal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Ms. Kaavya Jariyal, Advocate for
 Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Ms. Manjari Nehru Kaul, Addl. A.G., Punjab.

Ajay Kumar Mittal, J.

This petition under Article 226 of the Constitution of India has been filed for quashing the impugned order dated 18.11.2016 (Annexure P-3) passed by respondent No.2 for grant of parole for four weeks for repair of the house.

2. On notice having been issued, reply by way of affidavit of Sh. Ashish Kapoor, PPS Superintendent Central Jail Amritsar on behalf of respondents No.1 & 3 and reply by way of affidavit of Sh. Lakhwinder Singh, PPS, Deputy Superintendent of Police, Sub-Division Baba Bakala Sahib, Amritsar (Rural) on behalf of respondent No.4 have been filed. It has been categorically stated in para 3 of the aforesaid affidavit of Sh. Lakhwinder Singh DSP, that an enquiry was conducted by the local police with regard to the contentions raised in the application for release on parole by the petitioner, which were found to be wrong and incorrect. Further the contents of the Panchayatnama were also found to be not correct as the petitioner has a joint family and his brother Deepak Kumar lives in the same house and if there is need of any repair, he can get the same done. In addition to this, it was also revealed that Raj Rani mother of the petitioner and Deepak Kumar brother of the petitioner

are also involved in illegal trading of narcotic substances as they both have been convicted in case FIR No.123 dated 28.12.2013, under Section 22 of NDPS Act, PS Khilchian and FIR No.181 of 2013 under Section 22 of NDPS Act, PS Beas, Amritsar (Rural). The case FIR No.241 dated 23.11.2007, under Section 22 NDPS Act, PS Beas, Amritsar (Rural) and FIR No.17 dated 11.03.2011 under Section 21, 22 of NDPS Act, P.S. Khilchian, Amritsar (Rural) was also registered against them. The whole family of the petitioner is involved in NDPS Act cases, hence there is complete apprehension that if the petitioner is released on parole he might again indulge in similar activities of trading of narcotic substances, which is danger to the security of the State and maintenance of public order.

3. After hearing learned counsel for the parties, we do not find any justification for releasing the petitioner on parole.

4. Dismissed.

(Ajay Kumar Mittal)
Judge

(Harinder Singh Sidhu)
Judge

30.05.2017

atul

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No