

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

**CRWP No. 632 of 2017
Decided on : 31.05.2017**

Room Singh

. . . Petitioner

Versus

The State UT, Chandigarh and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

PRESENT: None for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner, who is confined at Model Jail, Chandigarh, has approached this Court by filing the present petition under Article 226 of the Constitution of India, *inter alia*, seeking quashing of impugned order dated 19.12.2016 (Annexure P-4), whereby, the claim of the petitioner qua grant of parole was rejected. Further, a prayer has also been made to issue direction to respondent No.1 to re-consider the claim of the petitioner afresh for grant of four weeks' parole under Section 3(1)(d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 (for brevity 'the Act').

2. A perusal of the facts as narrated in the petition shows that the petitioner along with other co-accused was involved in the case bearing NCB Crime/Complaint No.26, dated 28.05.2013, for the commission of offence under Sections 8, 18, 29 & 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the Act'), registered by the Narcotic Control Bureau, Chandigarh. After conclusion of the trial, the petitioner along with other co-accused was convicted and sentenced to undergo rigorous imprisonment for 15 years and imposed fine of ₹ 1.50 lakhs and in default further to undergo rigorous imprisonment for two years

under Section 18(b) of the NDPS Act by the Special Court, Chandigarh, vide judgment dated 23.02.2016. It has further been stated that against the judgment of conviction and order of sentence dated 23.02.2016, a Criminal Appeal bearing No. 328-DB of 2016 has been preferred, which is pending for final adjudication.

3. A prayer for parole has been made on the ground that the petitioner wishes to meet the family members, as they live in a quite far distance, as the petitioner is resident of village Bisaratanj, Tehsil Anwla, District Bareilly (U.P.). A response was sought from District Magistrate, Bareilly – respondent No.3, who has not recommended parole for the petitioner – Room Singh and had also verified the report of Senior Superintendent of Police, Bareilly (U.P.), wherein, it had been opined that in case, the petitioner is released on parole, there is possibility of untoward incident in the village.

4. Accordingly, after perusing the case file, no ground to release the petitioner on parole is made out.

5. Dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

May 31, 2017

J.Ram

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No