

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204

CRWP-868-2017 (O&M).
Decided on: October 13, 2017.

Room Singh

.. Appellant

VERSUS

State of U.T. Chandigarh and others

.. Respondents

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI
HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

* * *

PRESENT Mr.H.S.Jaswal, Advocate,
for the petitioner.

Ms.Ashima Mor, Addl. P.P. for UT, Chandigarh.

M.M.S. BEDI, J. (ORAL)

This is second petition for setting aside the order Annexure P4, dated 19.12.2016 passed by the Addl. Inspector General of Prisons, U.T. Chandigarh, refusing the claim of the petitioner for parole on the ground that it has been wrongly and arbitrarily declined.

Ms.Ashima Mor, Addl. P.P. for UT, Chandigarh, relies upon the report of the District Magistrate, Bareilly (UP), respondent no.3, refusing to recommend parole on the ground that there is apprehension that in case the petitioner is released on parole, there is possibility of untoward incident in the village.

Counsel for the petitioner claims that the earlier order dated 31.5.2017 had been passed in absence of counsel for the petitioner. He has further submitted that the petitioner is even ready to furnish additional security

bond/surety bond to the effect that he will not indulge in any activity affecting the peace in the area of his village in U.P. as well as in the area of Union Territory of Chandigarh.

At this stage, we do not intend to review the order earlier passed and propose to dismiss the petition.

At this stage, counsel for the petitioner submits that he be permitted to withdraw the present petition with liberty to file a fresh application for the grant of parole which can be decided on the basis of fresh report.

The petition is dismissed as withdrawn with the aforesaid liberty. In case the petitioner moves an application for parole for any of the reasons permissible under the Rules, the said application would be decided expeditiously, preferably within a period of one month, and the order will be communicated to the petitioner.

(M.M.S. BEDI)
JUDGE

October 13, 2017.
raj arora

(AUGUSTINE GEORGE MASIH)
JUDGE