

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

CWP-12601-2018

Date of Decision:16.11.2018

Shingara Singh @ Shingari

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present : Ms. Bhupinder Pal Kaur, Advocate
for the petitioner.

Ms. Sunint Kaur, A.A.G. Punjab.

KULDIP SINGH, J. (Oral)

Through this petition, petitioner has challenged order dated 17.04.2017 (Annexure P-2) passed by Additional District Magistrate, Fazilka whereby case of the petitioner for parole to meet his family members and to settle the household affairs in view of Section 3 (1) (d) of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 was rejected.

Petitioner moved an application before District and Sessions Judge, Sri Muktsar Sahib wherein it is alleged that petitioner is getting mentally upset due to non granting him leave and is compelling to commit suicide. It is further submitted that Deputy Commissioner, Fazilka, Director General of Police, Jails, Punjab, Chandigarh and Senior Superintendent of Police, Fazilka will be liable for his death. The letter has been sent to the Senior Superintendent of Police, Fazilka. The matter was referred to the office of District Magistrate, Fazilka which passed the impugned order dated 17.4.2017 (Annexure P-2) stating that there are 14 cases regarding robbery as well as under Section 302 IPC against the petitioner. He was earlier released on parole on which he got absconded during parole and was arrested only after 3 years.

I am of the view that there is no illegality or infirmity in the impugned order dated 17.04.2017 (Annexure P-2) passed by Additional District Magistrate, Fazilka as petitioner is facing trial in 14 cases relating to robbery and murder. He was earlier released on parole. He absconded during parole and was arrested only after 3 years. He is also threatening to commit suicide.

In these circumstances, respondents have rightly rejected the case of the petitioner for parole.

Accordingly, petition stands dismissed.

16.11.2018
rajeev

(Kuldip Singh)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No