

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.2522 of 2018
Date of Decision: 07.03.2018

Gurdip Singh

. . . . Petitioner

Vs.

State of Punjab and others

. . . .Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

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

Mr.Ayush Sarna, AAG, Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for the issuance of a writ in the nature of certiorari for quashing the order dated 31.8.2017 passed by the District Magistrate, Bathinda (Respondent No.2) by which his application for seeking parole has been rejected on the ground that he has been convicted in a case registered under the Narcotic Drugs and Psychotropic Substances, Act, 1985 and in case he is released on parole then he may indulge in the same trade again.

Learned counsel for the petitioner has submitted that the petitioner was convicted and sentenced for 15 years on 6.2.2017. He is lodged in Central Jail, Bathinda and his appeal bearing CRA-D-377-DB of 2017 is pending against conviction before this Court. The petitioner had applied for parole for six weeks to meet his family members and to repair his house. It is submitted that the petitioner is eligible and entitled for parole in terms of the provisions of the Punjab Good Conduct Prisoners (Temporary

Release) Act, 1962 (Amendment Act, 2015). It is further submitted that the ground on which the parole to the petitioner has been declined is not in consonance with the provisions of the Act.

After hearing learned counsel for the parties and taking into consideration the facts and circumstances, especially the one that the petitioner has been convicted only in this case and has not been released on parole so far despite the fact that he is in custody since 2013, the present petition is hereby allowed and the petitioner is allowed parole for two weeks to meet his family members and to repair his house as stated in his application. He shall be released on parole on furnishing his personal bail bonds/surety bonds to the satisfaction of the District/Duty Magistrate, Bathinda. The period of parole shall start from the date of his release and he is directed to surrender before the concerned jail authorities on the date his period of parole comes to an end.

Copy *Dasti*.

07.03.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No