

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

CWP No. 23692 of 2019

Date of Decision: 02.09.2019

Resham Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr.L.S.Sekhon, Advocate for the petitioner

RAJIV NARAIN RAINA, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari to quash the impugned order dated 10.05.2019 (P-1) whereby the request of the petitioner for grant of parole had been rejected by the respondents.

2. The petitioner was convicted and sentenced to undergo rigorous imprisonment for 10 years in case FIR No.137 dated 11.09.2013, under Section 22 of the NDPS Act, registered at Police Station Sirhind, District Fatehgarh Sahib. Appeal filed by the petitioner against conviction and sentence is pending admitted before this Court.

3. Learned counsel for the petitioner submits that the petitioner has undergone more than 01 year and 6 months out of rigorous imprisonment for 10 years. The petitioner is not involved in any other case of NDPS Act. He further submits that the petitioner wants to meet his family consisting of old aged parents and minor children.

4. The District Magistrate, Sangrur vide impugned order has

declined the application for temporary release of the petitioner on the ground that if the petitioner is released on parole he might indulge in selling the intoxicants again.

5. Having regard to the aforesaid and considering the fact that the petitioner has undergone only 01 year and 06 months of imprisonment, I am of the view that no ground for interference is made out. There is no illegality or infirmity in the impugned order dated 10.05.2019 (P-1) passed by the District Magistrate, Sangrur.

6. Dismissed accordingly.

(RAJIV NARAIN RAINA)

JUDGE

02.09.2019

neenu

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No