

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

108

**CWP No.32160 of 2019 (O&M)  
Date of Decision: 06.11.2019**

Rajiv @ Raja

**..... Petitioner**

Versus

State of Punjab and others

**..... Respondents**

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

Present: Mr. Sapan Dhir, Advocate for the petitioner.

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**RAJIV NARAIN RAINA, J (ORAL)**

1. Through this petition, the petitioner has sought for a writ in the nature of certiorari for quashing of the order dated 16.08.2019 (P-7) passed by respondent No.3 whereby benefit of parole to the petitioner has been denied so also for issuance of a writ in the nature of mandamus directing the respondents/State to grant the benefit of parole to the petitioner for a period of four weeks to enable him to look after his old aged father.

2. The petitioner was convicted and sentenced for life imprisonment in case FIR No.133 dated 12.05.2016 under Sections 364/302/380/381/404/34 IPC.

3. Learned counsel for the petitioner submits that the petitioner has already undergone more than 12 years actual sentence. The petitioner had committed a jail offence once and only because of this reason he has not been granted the benefit of parole. The petitioner has been suffering from fits of aggression and severe depression for which he is taking treatment. Learned counsel prays that the petitioner be granted parole to look after his aged father.

4. Perusal of the impugned order dated 16.08.2019 shows that the application for grant of parole for the purpose of marriage of the petitioner

has been rejected on the ground that he is involved in 23 heinous crimes, of which he has been convicted in 12 cases. The petitioner absconded the police confinement twice. Relevant part of impugned order is reproduced as follows:-

*“The convict Rajiv Kumar alias Raja is a dangerous gangster. In case he is released on parole for the purpose of marriage, then he may abscond by taking undue advantage of parole and he may disturb the peace and tranquility and he may also commit serious incident and after absconding, with the help of his companions, he may also be proved to be a very big danger for the security and safety of the nation. Apart from this, the name of convict Rajiv Kumar alias Raja is also mentioned in A-list of gangsters of Punjab. Commissioner of Police, Ludhiana has recommended not to release the convict Rajiv Raja on parole.”*

A perusal of the above shows that request of the petitioner for grant of parole for the purpose of his own marriage has been declined but the present petition has been filed for grant of parole on the ground to look after his old-aged father.

5. In view of the above, I find no error in the order dated 16.08.2019 (P-7) rejecting the application for parole. No case for interference is made out. The petitioner does not deserve the benefit of temporary release on parole.

6. Dismissed.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**06.11.2019**

D.Bansal/kv

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |