

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

**CWP-18002-2018 (O&M)
Date of decision : 9.4.2019**

Mukhtiar Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- None for the petitioner.

Mr. Sandeep S. Deol, AAG, Punjab.

KULDIP SINGH, J.

On the last date of hearing, no one was present on behalf of the petitioner nor any representation has been made. Today, again no one has come present to represent the petitioner. Therefore, after perusing the facts available on record, case is being decided on merits.

Petitioner seeks quashing of the order dated 23.2.2018 (Annexure P-1), passed by District Magistrate, Amritsar-respondent No. 2 vide which application of the petitioner seeking parole has been declined.

State has filed the reply and is opposing the prayer made by the petitioner seeking parole for six weeks to meet his family members.

I have considered the case of the petitioner and heard learned State counsel .

Petitioner has applied for six weeks parole to meet his family members. The authorities reported that there is apprehension of breach of

peace if the petitioner is released on bail, which could endanger security of the State and maintenance of the public order. State has taken the plea that petitioner is undergoing life imprisonment in a murder case. Family of the petitioner is residing in tenanted house at Rayya Khurd near the house of Dilbag Singh, Municipal Councilor. The house of the petitioner is near the house of the complainant/victim. They have rivalry with each other and if the petitioner is released on parole, there is apprehension of breach of peace. It has been further stated that petitioner and his co-accused has murdered Amritpal Singh son of Prem Singh and the relatives of Amritpal Singh had set the house of the petitioner on fire and destroyed the house hold articles. Regarding which a separate FIR No. 92 dated 16.5.2011, under Sections 454, 436, 427, 148 and 149 of the Indian Penal Code has been registered at Police Station Beas, Amritsar (Rural).

Considering that there is a possibility of breach of peace, if the petitioner is released on parole, there is no illegality or infirmity in the impugned order dated 23.2.2018 (Annexure P-1), passed by District Magistrate, Amritsar-respondent No. 2.

Dismissed.

(KULDIP SINGH)
JUDGE

9.4.2019
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Whether speaking / reasoned
Whether Reportable:

Yes
No