

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
101

CRWP No. 5703 of 2020

Date of Decision: 11th August, 2020

Gurjant Singh @ Janta

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: JUSTICE S. MURALIDHAR

JUSTICE AVNEESH JHINGAN

Present: Mr. Kuldeep V. Singh Ahluwalia, Advocate for the Petitioner.

Mr. H.S. Grewal, Additional Advocate General, Punjab.

Dr. S. Muralidhar, J.

1. The Petitioner challenges an order dated 11th May, 2020 passed by the Respondent No. 2/Deputy Commissioner-cum-District Magistrate, Moga ('DM'), rejecting his prayer for releasing him on parole for a period of 6 weeks.
2. The reasons set out for seeking parole are that the Petitioner, who has been in custody since 2012, seeks to "meet his family, for agricultural purpose and to get his house repaired".
3. While rejecting his prayer, the Respondent No. 2/DM has, *inter alia*, noted that the Petitioner is presently undergoing sentence post-conviction in FIR No.65/2012 dated 6th July, 2012 registered at Police Station Nihal Singh Wala, District Moga, *inter alia* under Section 302 IPC read with sections 25 and 27 of Arms Act, 1959. It is also noted that earlier, when the Petitioner was released on parole, when he was confined in FIR No. 75/2007 dated 12th August, 2007 registered for the

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offence punishable under Section 15/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, he committed, during parole, the murder of a Sarpanch as well as his brother, both residents of village Khai. It is further mentioned that there are at least 15 more cases registered against the Petitioner.

4. Mr. K.V.S. Ahluwalia, learned Counsel for Petitioner contests the last statement and submits that apart from the 2 cases mentioned above, there are no other cases involving the Petitioner. He, therefore, insists that the State should be asked to file the reply to bring the details of those cases on record.
5. The Court is not inclined to interfere with the order dated 11th May, 2020 of the Respondent No. 2/DM, given the background set out hereinabove. Moreover, the reasons adduced by the Petitioner do not provide sufficient justification for grant of parole at this stage.
6. Accordingly, the writ petition is dismissed.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

11th August, 2020
Sachin M.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No