

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

**CRWP-8047-2020(O&M)
Date of decision: 30.10.2020**

Dalbir Kaur @ Biro

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Sumanpreet Aulakh, Advocate for the petitioner

Ms. Samina Dhir, DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Through this petition filed under Article 226/227 of the Constitution of India, the petitioner prays for issuance of a writ in the nature of Mandamus directing respondent no.3 to release the petitioner on parole for a period of 8 weeks. It has further been prayed that the order dated 27.7.2020 be quashed.

Pursuant to the notice a short affidavit of Deputy Superintendent of Police, Sub Division Nawanshahr has been filed which reads as under:-

“1. That the brief facts of the case are that the petitioner was convicted in FIR No.70 dated 13.7.2015, under Sections 22/61/85 of the NDPS Act, registered with police station Sadar Nawanshahr on 21.12.2017 for 10 years alongwith fine of Rs.1,00,000/-. Since the day of 21.12.2017, the

petitioner is confined in Central Jail Ludhiana. Now the petitioner applied for parole of 8 weeks before the respondent no.3. The respondent no.3 as per the rules and regulations obtained the report of petitioner from respondent no.4 and was pleaded to dismiss the request of petitioner for releasing her on parole for 8 weeks.

2. That the respondent no.4 in its report stated that a number of cases was registered against the petitioner and the detail of the same is as under:-

Sr.No.	FIR number	Dated	Police Station	Offence	Status
1.	55	7.7.95	Phillaur	15 of NDPS Act	Acquitted on 1.12.99
2.	223	3.8.03	Sadar Nawanshahr	15 of NDPS Act	Convicted on 9.9.07
3.	115	11.7.07	Sadar Nawanshahr	15 of NDPS Act	Convicted on 18.12.98
4.	01	01.01.08	Sadar Nawanshahr	27 of NDPS Act	Convicted on 7.8.12
5.	50	14.5.13	Sadar Nawanshahr	15 of NDPS Act	Convicted on 13.1.15
6.	80	13.8.14	Sadar Nawanshahr	15-29 of NDPS Act	Convicted on 22.2.18

3. That the all above cases which were registered against the petitioner are connected with smuggling. If the petitioner comes out on parole, then there is a apprehension to the state security and there will be a breach of peace and petitioner can abscond herself from the confinement, hence the local police recommended that the benefit of parole cannot be given to the petitioner, on receiving the report of respondent no.4, the respondent no.3 reject the request of petitioner for releasing her on parole of 8 weeks.”

Keeping in view the aforesaid facts, this Court is not inclined to accede to the prayer for grant of parole.

Hence, dismissed.

30.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No