

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.6138 of 2021 (O&M)

Date of decision : 28.07.2021

Gurwinder Singh

..... Petitioner

versus

State of Punjab & ors.

..... Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE VIKAS BAHL**

Present : Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Sandeep Vermani, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

1 This petition has been filed under Articles 226/227 of the Constitution of India for setting aside order dated 15.03.2021 (Annexure P-2).

2 Reply by way of short affidavit of Shivraj Singh, PPS, Superintendent, Central Jail, Patiala on behalf of respondents No.1, 2 & 5 has been filed and the same is taken on record. Copy supplied to the counsel opposite.

3 One of the reason which has made the authorities below in refusing to grant parole was that the petitioner was earlier granted parole for 16 weeks on 17.07.2019 and was directed to surrender in jail on 07.11.2019 but he surrendered after 14 days on 21.11.2019.

4 Counsel for the petitioner has tried to explain this by saying that the petitioner had actually fallen sick and emphasized the fact that he voluntarily surrendered and was not involved in any criminal activity during that period.

5 Even if we accept this argument the fact remains that even two years have not elapsed the petitioner last went to jail.

6 In the circumstances, this petition is dismissed with liberty to the petitioner to make a fresh application in 2022.

7 Petition stands dismissed.

8 Since the main case has been decided, the pending miscellaneous application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

**(VIKAS BAHL)
JUDGE**

28.07.2021

Pooja sharma-I

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No