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

CRWP No. 9217 of 2020
Date of Decision: 07.01.2021

Shiv Charan Singh @ Babli

-Petitioner

Vs

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. L.S. Sekhon, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Petitioner seeks quashing of order dated 14.09.2020 passed by District Magistrate, Sangrur vide which his prayer for parole was rejected on the basis of report dated 10.09.2020 submitted by Senior Superintendent of Police.

Perusal of the record would show that earlier CRM-M No.4224 of 2020 was disposed of vide order dated 18.09.2020 and the order dated 17.04.2020 passed by respondent No.2 was set aside. Respondent No.2 was directed to form an opinion on the basis of facts of the case. Re-consideration was

ordered to be done in accordance with law within a period of two weeks from the date of receipt of copy of said order.

Respondent No.2 has declined the prayer for release of the petitioner on parole under Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 on the ground that there is a threat to peace and security as the petitioner would involve himself in selling narcotics after his release from the jail.

As per record, the petitioner is also involved in FIR No.181 dated 24.06.2013 under Sections 420, 419, 465, 468, 471, 120-B IPC.

Notice of motion was issued on 09.11.2020. Marriage of the daughter of the petitioner was fixed for 30.11.2020. Petitioner was granted interim parole for a period of two weeks from 28.11.2020 to 11.12.2020 to the satisfaction of Chief Judicial Magistrate/concerned Duty Magistrate vide order dated 27.11.2020.

Learned counsel for the petitioner submits that the petitioner has surrendered on 11.12.2020.

This fact has been verified by learned State counsel on instructions from ASI Sukhwinder Singh.

Petitioner is not involved in any other case of NDPS Act except the case in which he is convicted.

Likely endanger to security and apprehension that

the petitioner would involve in selling of narcotics on coming out of the jail would be far fetched.

In view of aforesaid situation, it would be just and appropriate to grant parole to the petitioner for a period of four weeks on his furnishing adequate bail bonds/surety bonds to the satisfaction of concerned District Magistrate.

Disposed of.

07.01.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |