

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

CRWP-10807-2020

DATE OF DECISION:-12.01.2021

SUKHBIR SINGH @ SUKHA

...PETITIONER...

V.

STATE OF PUNJAB AND ORS.

...RESPONDENTS...

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: None for the petitioner.

Mr. H.S. Grewal, Addl. A.G., Punjab.

SANT PARKASH, J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

Prayer in this petition is for quashing the impugned order dated 04.09.2020 (Annexure P-4), whereby the application for grant of parole has been dismissed, with further prayer for issuance of direction to the respondents to release the petitioner for 08 weeks parole to enable him to meet his family members.

The petitioner was tried in FIR No.9 dated 20.04.2012, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at SSOC (State Special Operation Cell) Amritsar, District Amritsar and accordingly, he has been convicted and sentenced for 15 years imprisonment vide judgment and order dated 07.09.2018 for having found in possession of 10 kgs heroin. Against the judgment of conviction and order of sentence, petitioner filed an appeal before

this Court, which is still pending admitted for final adjudication.

None has put in appearance on behalf of the petitioner.

On the other hand, learned State counsel strongly opposes the prayer made in the petition on the basis that parole case of the petitioner has been rightly rejected by the competent authority as he is a habitual offender and prays for dismissal of instant petition.

Perusal of file reveals that earlier the petitioner applied for parole as per the provisions in the Act and his case was sent to the District Magistrate Bathinda, after completing all the formalities. But the parole case of the petitioner has been rejected vide impugned order dated 04.09.2020 (Annexure P-4) on the basis of report of SSP, Bathinda that six more FIRs are registered against the petitioner, the details of which are as under:-

Sr. No.	Case No.	Offence
1	FIR No.1 dated 10.01.2011, Police Station State Special Operation Cell, Sri Amritsar	U/s 21/25/29 NDPS Act
2	FIR No.8 dated 05.05.2015, Police Station State Special Operation Cell, Sri Amritsar	U/s 21/25/29 NDPS Act
3	FIR No.76 dated 18.07.2014, Police Station City Tarn Taran, District Tarn Taran	U/s 21/25/29 NDPS Act and Section 411, 414 and 489 IPC
4	FIR No.221 dated 12.09.2018, Police Kotwali Kapurthala, District Kapurthala	U/s 22/25/29 NDPS Act
5	FIR No.11 dated 10.01.2012, Police Station Cantt, Sri Amritsar	U/s 212, 223, 224 and 225 IPC
6	FIR No.76 dated 19.06.2014, Police Station Sarai Amanat Khan	U/s 21 NDPS Act

In view of the above, it is clear that the petitioner is a habitual offender and will again indulge in the same activities, if he is released on parole. Thus, we do not find any merit in the instant petition and same is accordingly dismissed.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

12.01.2021

sonika

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No