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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6884-2022

Date of decision : 12.10.2022

CHARANJIT SINGH @ CHANNI

..... PETITIONER

VS

STATE OF PUNJAB AND ORS.

..... RESPONDENTS

CORAM : HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ALOK JAIN

Present :- Mr. L.M. Gulati, Advocate for the petitioner.

Mr. J.S. Mehndiratta, Additional Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (Oral)

Prayer in this writ petition is for quashing the impugned order dated 15.06.2022 (Annexure P-3), passed by respondent No.3, vide which the District Magistrate, Fatehgarh Sahib has rejected the prayer of the petitioner for grant of parole under the Punjab Good Conduct Prisoners (Temporary Release), Act, 1962 on the ground that the petitioner is the person of quarrelsome nature and would, therefore disturb the peace and harmony in the locality.

Learned counsel for the petitioner contends that the ground, which has been taken for rejection of the application for parole is unsustainable as the same cannot be justified in the light of the fact that the petitioner is in custody since the date of his conviction i.e. 25.09.2019. During this period while in jail, there has been no complaint, as far as his conduct is concerned. There is no jail offence also committed by the petitioner. This aspect would not be disputed by the counsel for the State. We do not find, any reason, which has been assigned by the District Magistrate/ respondent No.3, rejecting the prayer for parole on the ground of his

being a person of hot temper and of quarrelsome nature to be sufficient or in itself a cause of rejection of the prayer as has been made by the petitioner.

The impugned order dated 15.06.2022 (Annexure P-3) cannot be sustained and therefore is set aside. Petitioner is directed to be released on parole on completion of the usual formalities for a period of 06 weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ALOK JAIN)
JUDGE

12.10.2022
manju

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No