

CRWP-7353-2023

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

CRWP-7353-2023

Date of decision:27.07.2023

Harpreet Singh @ Kala

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Prateek Pandit, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to respondent No.2-Deputy Commissioner-cum-District Magistrate, Kapurthala, to decide the parole case of the petitioner expeditiously.

Learned counsel for the petitioner contends that vide judgment of conviction and order of sentence dated 14.09.2021 passed by learned Judge, Special Court, Kapurthala, in FIR No.139 dated 25.05.2017, under Section 22 NDPS Act, registered at Police Station Sultanpur Lodhi, the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of ten years and to pay a fine of Rs.1 lakh. Being dissatisfied with the said judgment, the petitioner preferred an appeal, bearing No.CRA-S-1126-2021 before this Court and the same is pending adjudication. He further contends that the petitioner applied for parole before the Superintendent, Central Jail, Kapurthala, to meet his family members; that vide letter dated 12.05.2022 (Annexure P-4), parole case of

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the petitioner had been forwarded to the District Magistrate, Kapurthala, but the same has not been decided till date. It is also submitted that parole is a rule whereas rejection is an exception. He prays that appropriate direction be issued to respondent No.2 to decide the parole case of the petitioner.

Notice of motion.

On the asking of this Court, Mr. C.L.Pawar, Addl. A. G. Punjab, accepts notice on behalf of the respondents.

In view of the prayer made in the present petition, the present petition is disposed of with a direction to respondent No.2-Deputy Commissioner-cum-District Magistrate, Kapurthala, to decide the parole case of the petitioner, which was forwarded by the Superintendent Central Jail, Kapurthala, vide communication dated 12.05.2022 (Annexure P-4), within a period of four weeks from the date of receipt of copy of this order, as per law.

27.07.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No