

CRWP-7480-2023
222-A

2023:PHHC:103334

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-7480-2023
Date of Decision :- 09.08.2023

Jatinder Singh @ Gurbachan Singh @ Mani Makkar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

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

SUVIR SEHGAL, J. (ORAL)

1. By way of instant petition filed under Articles 226/227 of the Constitution of India, the petitioner has sought issuance of a direction to Deputy Commissioner-cum-District Magistrate, Kapurthala (respondent No.2) to expeditiously decide the parole case of the petitioner.

2. Counsel for the petitioner submits that petitioner has been convicted in FIR No.375 dated 12.12.2017, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – ‘NDPS Act’), Police Station Kotwali, Kapurthala vide judgment dated 2.9.2022 and has been imposed a sentence of 10 years besides fine of Rs.1 lakh. Counsel submits that the petitioner has filed a first appeal before this Court, which has been admitted. He submits that the petitioner moved an application dated 5.1.2023 (Annexure P-3) seeking parole under the provisions of

Punjab Good Conduct Prisoner(Temporary Release) Act, 1962, which was forwarded by the Superintendent of Jail concerned vide letter dated 9.1.2023 (Annexure P-4). Counsel asserts that despite the fact that District Magistrate has sought a report from the police, his parole case is hanging fire.

3. Counsel submits that the petitioner would be satisfied in case a direction is issued to the official respondents to decide the parole application of the petitioner expeditiously.

4. Notice of motion.

5. On asking of the Court, Mr.A.P.S. Tung, DAG, Punjab, accepts notice on behalf of the respondents. He submits that he has not received any instructions from the Department.

6. Given the nature of order being passed, this Court does not deem it appropriate to await response from the respondents.

7. Noticing that the application submitted by the petitioner seeking parole is pending since the last more than 7 months, the petition is disposed of with a direction to the District Magistrate, Kapurthala – respondent No.2 to dispose it of as expeditiously as possible, preferably within a period of 6 weeks from the date of communication of the copy of this order.

09.08.2023
Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking
Whether reportable

:
:

Yes/No
Yes/No