

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

246

CRWP-8761-2022

Date of Decision: February 02, 2023

Nishan Singh @ Fouji

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA J. (ORAL)

The present petition has been filed for setting aside the impugned order dated 20.07.2022 (Annexure P-2) passed by respondent No.7 vide which the application moved by the petitioner for grant of parole, is rejected.

Counsel for the State has opposed the present petition on the ground that the jurisdiction of this Court qua parole is restricted only to arbitrariness.

At this stage, counsel for the petitioner submits that he would be contended and satisfied in case, he may be permitted to file fresh application for parole on the earlier as well as on fresh grounds and the competent authority be directed to decide the same within time bound manner without being influenced by the previous rejection.

The prayer is genuine.

Given above, the present petition is partially allowed.

Liberty reserved to the petitioner to file fresh application for parole within one month from today before the competent authority, if any such application is filed, the concerned authority shall decide the same within two months from the date of its filing, without being influenced by the previous order by passing a reasoned and speaking order.

**(ANOOP CHITKARA)
JUDGE**

February 02, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No