



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

111

CRWP-4140-2024(O&M)
Date of Decision : **May 08, 2024**

Yadwinder Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Dr. Bandana Trikha Sachdev, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for issuance of mandamus upon the official respondent No.2 to take a final decision on the recommendation made by the Superintendent Jail, Patiala vide letter dated 11408 dated 20.12.2022.

2. It transpired upon perusal of the present petition, that recommendation was made way back on 20.12.2022 and the same has not been decided by the District Magistrate concerned.

3. A specific query was put to the learned State counsel, who is present in Court on an advance notice, regarding delay in not deciding such recommendation and how much time would the District Magistrate concerned, will take, learned State counsel after taking instructions from the official concerned, submits that due to ongoing Lok Sabha elections 2024, the code of conduct is in operation and due to restrictions, the

**CRWP-4140-2024(O&M)****-2-**

convict cannot be released on parole. He further submits that as soon as the elections are over and the code of conduct is lifted, the decision will be taken within 7 days thereafter.

4. In view of the specific statement made by the learned State counsel, this Court do not deem it appropriate to further pass any direction to the official respondent, however, in view of the undertaking given by the learned State counsel, the District Magistrate concerned upon lifting of the code of conduct within 7 days shall decide such recommendation, as made by the Superintendent Jail, Patiala.

5. **Disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

May 08, 2024
ajay-1

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No