



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

**CRWP-7893-2024
DECIDED ON: 06.09.2024**

KANHIYA JHA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Ms. Satinder Kaur, Advocate
for the petitioner.

Mr. Sukhsandesh Singh Chahal, A.A.G., Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India, for issuance of directions to respondents No.4 and 5 for granting regular parole of 08 weeks to the petitioner to meet his family and discharge his family obligations, in case in FIR No.136 dated 15.12.2020 under Section 20C of NDPS Act, PS Nandgarh, Punjab in Appeal CRA-S-1168-2024.

Reply by way of an affidavit dated 05.09.2024 of Ms. Heena Gupta, PPS, Deputy Supdt. Of Police (Rural), Bathinda, District Bathinda on behalf of respondent No.4, has been filed, which is taken on record.

On the other hand, learned State counsel has opposed the prayer of learned counsel for the petitioner and submits that petitioner was convicted and sentenced by learned trial Court in the aforesaid FIR, involving heinous

crime and if the petitioner is released on parole, he can again indulge in selling intoxicants. Therefore, the instant petition deserves to be dismissed.

Since the petitioner does not fall within the category of hard core prisoner and just prays for grant of regular parole for 08 weeks to meet his family and discharge his family obligations, in FIR No.136 dated 15.12.2020 under Section 20C of NDPS Act, PS Nandgarh, this Court is of the considered view that the petitioner deserves the concession of parole.

Hence, the petitioner is directed to be released on parole for a period of four weeks subject to his furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned w.e.f. tomorrow i.e. 07.09.2024, who shall surrender to the concerned Superintendent of Jail by 05:00 PM on 05.10.2024.

In the light of above, the present petition is allowed in the aforesaid terms.

06.09.2024
Mani Kumar

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>