

2024:PHHC:112311



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

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CRWP-8376-2024 (O&M)
Date of decision: 30.08.2024

Lakhbir Kaur @ Billi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of directions to respondent No. 2- Deputy Commissioner-cum-District Magistrate, District Kapurthala to decide the parole case of the petitioner expeditiously and within reasonable period of time.
2. Learned counsel for the petitioner has submitted that the petitioner has been convicted in case arising out of FIR No. 158 dated 09.08.2016, registered under Section 22 of the NDPS Act, 1985 at Police Station Kotwali, Kapurthala, vide judgment of conviction dated 01.09.2023 and has been sentenced to undergo rigorous imprisonment for a period of 10 years. The petitioner has filed an appeal before this Court, which is pending.

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The petitioner has applied for grant of parole to the Superintendent, Central Jail, Kapurthala in January, 2024 for the purpose of meeting her family and for her medical treatment as she is not keeping well. The said application was forwarded to respondent No. 2 on 01.02.2024, whereby respondent No. 2 had sought report from the Senior Superintendent of Police, Kapurthala. Even the Panchayat of the village of the petitioner has furnished a panchayatnama to the effect that they have no objection if the petitioner is released on parole. However, the case of the parole is still pending before respondent No. 2 and no decision has been taken thereon. Learned counsel for the petitioner has submitted that a direction may be issued to respondent No. 2 to decide the parole case of the petitioner expeditiously.

3. After hearing learned counsel for the petitioner and keeping in view the fact that the case for grant of parole to the petitioner is pending before respondent No. 2 since February, 2024 and no decision has been taken thereon so far, 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 within a period of one month from today by passing a speaking order, in accordance with law.

30.08.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No