



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

112

CRWP-10231-2024.**Date of Decision: 22.10.2024.**

Maninderveer Singh @ Raja

....Petitioner.

VERSUS

State of Punjab and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Gurmender Singh Manhas, Advocate and
Mr. Abhishek Batta, Advocate for the petitioner.

Mr. Adeshwar Singh Pannu, Assistant Advocate General,
Punjab.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner has challenged order dated 07.08.2024 (Annexure P-4), whereby his application for release on parole has been rejected.

2. Learned counsel for the petitioner submits that the petitioner had been convicted under Section 21(c) of NDPS Act and sentenced to undergo rigorous imprisonment for 15 years in FIR No.106 dated 18.07.2018, registered at Police Station Haibowal, Ludhiana. The case of the petitioner for his release on parole has been erroneously rejected on the ground that he is high risk prisoner although besides the case, wherein he has been convicted, he is not involved in any other case under NDPS Act. The petitioner has undergone an actual sentence of 06 years, 01 month and 27 days, therefore, he is fully eligible to be released on parole.

3. Issue notice to the respondents.

4. At the asking of the Court, Mr. Adeshwar Singh Pannu, Assistant Advocate General, Punjab, accepts notice on behalf of the respondents. He submits that as huge quantity of psychotropic substances had been recovered from the petitioner, he was not released on parole because there is apprehension that he might commit another offence.

5. Heard.

6. The petitioner had been convicted under Section 21(c) of NDPS Act and sentenced to undergo rigorous imprisonment for 15 years in FIR No.106 dated 18.07.2018, registered at Police Station Haibowal, Ludhiana and is undergoing his sentence. The alleged recovery, which has been effected from the petitioner is intoxicating tablets, capsules, injections, syrup bottles containing Diphenoxylate Hydrochloride, Tramadol Hydrochloride, Buprenorphine, Alprazolam, Codeine Phosphate, Carisoprodol, Pentazocine, Pentazocine Lactate and currency of Rs.6 Lakhs was also recovered from the petitioner. The case of the petitioner for release on parole has been rejected on the ground that he is high risk prisoner. The petitioner is stated to have undergone an actual sentence of 06 years, 01 month and 27 days and besides the case, in which the petitioner has been convicted, he is not involved in any other case under NDPS Act. It is necessary for a convict to maintain his contact with society to enable his reformation and transform him into a responsible citizen at the time of his release after completion of sentence. Therefore, the apprehension expressed by the authority that there is high risk of committing another offence is unfounded and baseless. Consequently, we are of the considered view that impugned order (Annexure P-4) rejecting the case of the petitioner for release on parole is clearly unsustainable and deserves to be set aside.

7. Consequently, the petition is allowed and the impugned order dated 07.08.2024 (Annexure P-4) is set aside. The petitioner shall be released on parole for a period of six weeks subject to his furnishing necessary surety bonds to the satisfaction of the competent authority and on expiry of six weeks, he shall surrender to the concerned jail.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

22.10.2024
jitender

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