



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

CWP-3688-2025

Date of Decision : 24.03.2025

HARJEET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jatinder Jit Kaur, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab
for respondents no.1 to 6.

Mr. Sanjeev Manhas, Advocate,
for respondent no.9 (through V.C.)

None for remaining respondents.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon the official respondents, to make their all efforts to take private respondents no.7 and 9 back into the custody, and also, to carry out an appropriate inquiry/proceedings against the persons involved and responsible for grant of temporary release to them. He further seeks a direction that respondents no.7 to 9 may not be temporarily released from the custody in future.

2. Upon notice of motion issued by this Court vide order dated 27.02.2025, today a short reply, dated 22.03.2025, by way of an affidavit

of Sh.Babandeep Singh, ACP, Cantonment, Jalandhar, has been filed on behalf of respondents no.1, 2, 4 and 5, by the learned State counsel, which is taken on record, with a copy thereof supplied to learned counsel for the petitioner.

3. The reply (*supra*), voiced about the cancellation of parole, as granted to respondents no.7 to 9, by the Jail Authorities concerned, on dated 03.12.2024, and thereupon, convict-Satwinder Singh (respondent no.9), who was on parole, has been re-arrested on 06.12.2024, whereas, convict-Bahadur Singh (respondent no.8) was never released from custody. So far as, convict-Inderpreet Singh (respondent no.7) is concerned, despite best efforts, he could not be arrested till date and secret raids are being conducted to arrest him, and on account of his default, an FIR bearing No.6, dated 20.01.2025 under Section 8(2) and 9 of the Prison Good Conduct Act, has been registered against him.

4. In view of the above, the prayer made in the instant petition, to the effect of cancellation of parole of respondents no.7 to 9, has already been redressed. Except convict-Inderpreet Singh (respondent no.7), two other convicts are now in custody, and serious efforts are being made to arrest respondent no.7 by the law enforcement agency, and it is expected that he will be arrested soon.

5. So far as other two prayers are concerned, in view of the supervening events, this Court does not deem it appropriate to pass any *mandamus* in this regard, however, it is made clear that in future, the District Magistrate concerned, before entertaining any application for

grant of parole/furlough, so preferred by respondents no.7 to 9, shall examine the threat perceptions to the petitioner.

6. Needless to say that, this Court never intends to observe that respondents no.7 to 9, are not entitled to parole/furlough in future. The District Magistrate concerned, has to independently examine, within the all legal parameters regarding the entitlement of respondents no.7 to 9, with regard to grant of parole/furlough.

7. **Disposed of** accordingly.

March 24, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

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