



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

CRWP-5127-2025

Date of Decision:-01.09.2025

Jugraj Singh @ Raja.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Manjot Kaur, Advocate for the Petitioner.

Mr. M.S. Toor, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of Certiorari seeking quashing of the order dated 30.04.2025 passed by District Magistrate, Patiala (Annexure P-2) whereby the application moved by the petitioner for releasing him on 08 weeks parole to repair his house has been declined in case FIR No.59 dated 22.05.2015 under Section 15 of the NDPS Act, 1985 Police Station Passiana.

2. The brief facts of the case are that FIR No.59 dated 22.05.2015 under Section 15 of the NDPS Act, 1985 Police Station Passiana came to be registered against the petitioner. He came to be convicted and sentenced by the Judge, Special court, Patiala vide judgment of conviction and order of sentence dated 28.02.2024 as under:-

Sr. No.	Offence	Imprisonment	Fine
1.	Section 15 NDPS Act	RI for 10 Years	Rs.1,00,000/-



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3. Thereafter the petitioner preferred an appeal against the judgment of conviction bearing CRA-S-1689-2024 titled as Jugraj Singh @ Raja Vs. State of Punjab and the same was admitted by this Court vide order dated 30.04.2024.

4. The petitioner moved an application on 19.12.2024 for the grant of Parole. The said application was declined by the respondent no.2 i.e. Director General of Prisons, Punjab vide order dated 30.04.2025 (Annexure P-2) which was conveyed to the petitioner through the Superintendent Central Jail, Patiala.

5. It is the order dated 30.04.2025 (Annexure P-2) which is under challenge in the present petition.

6. The Counsel for the petitioner contends that the application of the petitioner for grant of Parole was declined on the ground that while on Parole he may indulge in the business of sale of Narcotics. The conclusion arrived at is not based on any record. In fact other than the instant case, the petitioner is an accused in 02 other cases i.e. FIR No.84 dated 23.06.2009 under Section 15, 61, 85 of NDPS Act Police Station Sadar Nabha, Patiala and FIR No.152 dated 18.06.2014 under Section 21(1) of Mining Act, 1957 P.S. Patran, Patiala. In FIR No.70 dated 17.07.2014 under Sections 15, 22, 25, 29, 61, 85 of NDPS Act, Section 379, 489-A IPC and Sections 25 of the Arms Act P.S. Ghagga, Patiala he has been acquitted. He therefore contends that the impugned order is liable to be set aside and the petitioner be granted the concession of Parole.

7. The Counsel for the State on the other hand has filed reply by way of affidavit dated 28.08.2025 of Mr. Gurcharan Singh Dhaliwal, Superintendent Central Jail, Patiala in the court today, which is taken on record. While referring to the said reply he contends that the competent



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authority has come to the conclusion that if the petitioner is granted the concession of Parole he would smuggle drugs. Therefore, he is not entitled to the concession as prayed for.

8. I have heard counsel for the parties.

9. Other than the instant FIR, the petitioner is a convict in one other case under the NDPS Act bearing FIR No.84 dated 23.06.2009 under Section 15, 61, 85 of NDPS Act Police Station Sadar Nabha, Patiala. In FIR No.70 dated 17.07.2014 under Sections 15, 22, 25, 29, 61, 85 of NDPS Act, Section 379, 489-A IPC and Sections 25 of the Arms Act P.S. Ghagga, Patiala he has been acquitted. There is no material on record to suggest that in case the petitioner is granted the concession of Parole, he would indulge in the business of sale of drugs.

10. In view of the above, I find considerable merit in the present petition and the same stands allowed. The order dated 30.04.2025 (Annexure P-2) passed by concerned authority stands quashed and the petitioner is ordered to be released on Parole for a period of **04 weeks** on conditions to be imposed by the Trial court. The period of 04 weeks shall be counted from the date of his release. The releasing Court/Duty Magistrate shall also notify the dates of release and surrender of the petitioner. The petitioner shall surrender before the jail authorities on the date and time to be notified by the releasing Court/Duty Magistrate. After surrender, the petitioner shall furnish a surrender certificate.

(JASJIT SINGH BEDI)
JUDGE

September 01, 2025
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No