

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-7754-2025

PALWINDER SINGH ALIAS PINDI... PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS...RESPONDENTS

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
27.11.2025	04.12.2025	FULL PRONOUNCED	04.12.2025

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MS. JUSTICE SUKHVINDER KAUR

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

Aggrieved by rejection order dated 22.05.2025 (Annexure P-1) passed by District Magistrate, Amritsar, whereby request for grant of 8 weeks parole sought by the petitioner was dismissed, petitioner has approached this Court by way of filing Criminal Writ Petition filed under Articles 226/227 of the Constitution of India in the nature of certiorari.

2. Petitioner was convicted under Section 302 IPC and was sentenced to undergo rigorous imprisonment for life and to pay fine amounting to Rs.20,000/- in default of payment of fine further to undergo rigorous imprisonment for one year in trial arising from FIR No. 83 dated 22.05.2016 under Sections 302, 307, 212, 216, 148, 149 IPC and 25/54/59 of Arms Act, registered at Police Station Sadar Amritsar, District Amritsar. Petitioner is undergoing sentence and is presently lodged in District jail, Amritsar. His criminal appeal bearing no. CRA-D-364-2020 against the order of conviction and sentence was duly admitted by this Court.

3. Petitioner had applied for 8 weeks parole for taking care of his family. The parole was initiated by the Superintendent, Central Jail, Ferozepur. It is a case of petitioner that Gram Panchayat village Harsha Chhina Subajpur, Block Harsha Chhina (Amritsar) had duly recommended his release on parole and has duly reported that there is no danger of disturbing law and order in the village or nearby areas. However, on the report of Superintendent, Central Jail, Ferozepur, the District Magistrate, Amritsar has rejected the parole case of the petitioner vide impugned order dated 22.05.2025 on the ground that there is a likelihood of “**convict can cause threat to the State security and public order**” in the event of release of petitioner on parole.

4. Petitioner is challenging impugned order dated 22.05.2025 on the grounds that

same is non speaking order and not based on valid justification for rejecting the case of the petitioner. It is asserted that Gram Panchayat has already recommended his case, therefore, the conclusion that “**convict can cause threat to the State security and public order**” without reasons is bad in law. It is argued that the resolution of the Gram Panchayat in favour of the petitioner has not been taken into consideration. It is asserted that petitioner has no previous criminal record. He was on bail, during the trial and was not concerned in any other case. That his conduct during incarceration has been reported to be good and there is no allegation of misconduct while in jail. Further, the petitioner was earlier granted parole vide order dated 23.03.2023 passed in CRWP-12104-2022 and petitioner also surrendered back on time. It is asserted that accused was never involved in any activities, which may cause disturbance to the public peace/order or security. It is asserted that petitioner was falsely involved in present FIR and his appeal is pending and, therefore, the impugned order declining parole is liable to be set-aside.

5. On the other hand, State counsel submits that petitioner is a habitual offender and there is a long list of the cases as detailed in para No.2 of the reply.

6. We have gone through the petition and perusal of Annexure P-1 reflects that petitioner was granted benefit of parole by this Court and he surrendered back.

7. Consequently, the present petition is **partly allowed** with a direction to the Senior Superintendent, Central Jail, Ferozepur, to re-consider the parole application of the petitioner and in case, it is to be rejected, valid reasons to be given that on what basis they are assuming that petitioner shall not surrender back and can cause threat to state security and public order or likely to misuse his liberty. It is clarified that the application shall be decided within 30 days from today and resolution passed by the Gram Panchayat be also taken into consideration. State to communicate this order to Senior Superintendent, Central Jail, Ferozepur. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

04.12.2025
Anju rani

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