



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-1509-2026 (O&M)
Date of Decision:- 16.03.2026

Prince Kumar @ Prince

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present:- Mr. Ishan Gupta and Ms. Vrinda Katoch, Advocates,
for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner assails order dated 01.01.2026 passed by respondent No.2- District Magistrate, Ludhiana (Annexure P-5) whereby his application seeking grant of parole has been declined primarily on the ground that upon release of petitioner on parole, he can indulge again into drug trafficking.
2. The petitioner stands convicted vide judgment dated 05.06.2025 passed by learned Judge, Special Court, Jalandhar in a case arising out of FIR No.370 dated 23.12.2022, Police Station Rama Mandi, District Jalandhar, under Sections 21, 29/61-85 NDPS Act, wherein he had been sentenced to undergo rigorous imprisonment for 12 years and has also been imposed fine.



3. Learned counsel for the petitioner submits that he is not involved in any other case and that the report submitted by the police authorities to the effect that the petitioner in case granted parole may indulge again in the business of drug trafficking, is a vague report and that there is no material on record to support the same. It has been submitted that in the absence of any material to show that release of the petitioner would pose a risk to public order and societal interest, declining parole would not be justified.
4. Opposing the petition, the learned State counsel submitted that there is likelihood of repetition of similar activities or misuse of parole in case he is extended benefit of parole and as such, he would pose a threat to the society.
5. We have heard learned counsel for the petitioner and also learned State counsel.
6. We find that the application for parole has primarily been declined on the ground that petitioner can commit the crime again, which can disrupt law and order. However, there is no material on record as to on what premises, the said observation has been made. Rather, the custody certificate filed today by State counsel shows that the petitioner is not involved in any other case. In somewhat identical circumstances, this Court in **Ram Chander Versus State of Punjab and others**, CRWP-554-2016, decided on 06.03.2017 wherein the opinion as regards there being apprehension of breach of State security was not based on any material, the order declining parole was set aside and directions were issued to the authorities concerned to consider the matter afresh.
7. In view of the discussion made above, the impugned order is set aside and the instant criminal writ petition is disposed of with a direction to the



competent authority to consider the case of the petitioner afresh *de hors* the previous report and pass appropriate orders in accordance with law expeditiously preferably within a period of three weeks from today.

(GURVINDER SINGH GILL)
JUDGE

16.03.2026
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(RAMESH KUMARI)
JUDGE

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