



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

283

CRWP-1788-2026 (O&M)
Date of Decision: 24.03.2026

SUNIL

... Appellant

V/S

STATE OF PUNJAB

... Respondent

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

Present: Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the appellant.

Mr. Akhil Kamra, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

- 1 The petitioner herein assails order dated 31.12.2025, Annexure P-1, passed by District Magistrate Amritsar-respondent No.2, whereby his application seeking grant of parole has been declined primarily on the ground that his release would endanger the security of the State and would be prejudicial to the maintenance of public order.
2. In compliance of order dated 18.02.2026, reply by way of affidavit of Mr. Yadwinder Singh, PPS, Deputy Superintendent of Police, Sub-division Ajnala, Amritsar (Rural), has been filed. As per the said affidavit dated 23.03.2026, the petitioner is not involved in any other case.
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 there is threat to the state security and can commit the crime

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again in case he is granted parole, 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 the state security, public order and societal interest, declining parole would not be justified.

4. We have heard learned counsel for the petitioner and also learned State counsel.
5. We find that the application for parole has primarily been declined on the ground of apprehension of breach of security, however, there is no other material on record as to on what premises, the said observation has been made inasmuch as the petitioner is not stated to be a previous convict and has a clean record. 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 were 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.
6. 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 three weeks.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE