



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRWP-2651-2026

DATE OF DECISION: 08.04.2026

RAMAN ALIAS CHOOTALA

...Petitioner

Versus

THE STATE OF UT CHANDIGARH THROUGH
INSPECTOR GENERAL OF PRISONS AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Ujwal Anand, Advocate for the petitioner.

Mr. Prateek Rathee, Addl. P.P. U.T., Chandigarh.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present criminal writ petition has been filed for setting aside order dated 27.06.2025(Annexure P-1) passed by the Inspector General of Prisons and Correctional Administration by which the application filed by the petitioner for the grant of parole has been rejected on the ground that the same is likely to disturb the peace and maintenance of public order.

2. Learned counsel for the petitioner submits that even without having a cogent evidence that the grant of parole will disturb the peace, the said ground has been taken to deny the benefit of parole. Learned counsel submits that the issue has already been settled by a Division Bench of this Court in CRM-167-2023 in Criminal Writ Petition No.12043-2022 titled as "*Iqbal Singh vs. State of Punjab and others*", decided on 05.05.2023 after discussing the issue in detail that the benefit of parole cannot be denied on a mere apprehension that the same will disturb the peace or is likely to endanger security of the State and the maintenance of public order.

3. Upon notice of motion, the respondents have appeared and filed a reply stating that once, on the basis of the record of the petitioner, a report has been given that in case he is granted the benefit of parole, the same will disturb the peace and will interfere with the maintenance of law and order, the same has rightly been kept in



mind while passing the impugned order and therefore, once the grant of parole is not a matter of right, the present petition filed by the petitioner may kindly be dismissed.

4. We have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It is a conceded fact that the ground given for denying parole is that the same is likely to jeopardize the security of the State or the maintenance of public order. Though, it might not be essential to give the basis for reaching such a conclusion in the order but in the reply filed, the same should have been mentioned as to what evidence/facts which came to the notice of the authority, led to the forming of such opinion, on the basis of which, the claim raised for the grant of parole was declined. The learned counsel for the respondent concedes that no such factual aspect has been given in detail to support the reason given for declining the benefit of parole.

6. Keeping in view the totality of the circumstances as, no factual incident/conduct of the petitioner which led to the assumption that grant of parole to the petitioner will lead to the disturbing of peace and harmony is brought to the notice of this Court even during the hearing, the said assumption to reject the claim cannot be accepted and the impugned order is accordingly set aside.

7. The case is remanded back to the State with the direction that in case there is no factual instance which would *prima-facie* show that the grant of parole will be misused or will cause danger to the public at large, the benefit of parole, as entitled, be granted. Let such order be passed within a period of one month from today.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

08.04.2026
sapna adhikari

Whether speaking/reasoned : Yes
Whether reportable : No