



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

288

CRWP-3057-2026 (O&M)
Date of decision : 14.05.2026

Lovepreet Singh @Laddi

..... Petitioner

VERSUS

State of Punjab & Ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Ms. Rajvinder Kaur Sohal, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J.

While invoking the jurisdiction vested in this Court by virtue of Articles 226/227 of the Constitution of India, the petitioner has filed the present writ petition for a writ in the nature of certiorari. By virtue of present petition, the petitioner is seeking the quashing of order dated 23.01.2026, passed by the Senior Superintendent of Police Mansa, and the order dated 10.02.2026, passed by the Deputy Commissioner Mansa, whereby the prayer of petitioner for grant of parole has been rejected.

2. By virtue of present case, in addition to abovementioned prayer, another prayer in the nature of mandamus has been sought for a direction to the respondents to release the petitioner on temporary/emergency parole for a period of eight weeks, under Section 3(1)(D) of 'the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962', hereinafter being referred to as 'the Act'.



3. Briefly stating the facts emerging from record are that, that for the commission of offence punishable under Section 22(c) of Narcotic Drugs and Psychotropic Substances Act, hereinafter being referred to as 'NDPS Act' only, the petitioner was prosecuted and he faced trial in the Court of learned Special Judge (designated under NDPS Act) Mansa. The abovementioned trial, faced by the petitioner, culminated into the judgment of conviction of the petitioner and therefore, by virtue of order on quantum of sentence, the petitioner was directed to undergo imprisonment for a period of ten years. Thus, against the abovementioned verdict of learned Special Judge, the petitioner preferred an appeal, i.e. CRA-S-3024-2025, which is still pending before this Court.

4. Heard.

5. It has been contended by learned counsel for the petitioner that against the awarded sentence of ten years, he has already served sentence for a period of more than three years and nine months. According to learned counsel for the petitioner, the petitioner's parental house, wherein his old-age parents are residing, is in dilapidated condition and therefore, in view of approaching rainy season, there is an immediate need to carry out repair in the abovementioned house. As per learned counsel for the petitioner, the petitioner wants to repair his house and also to look-after his old-age parents, who are in constant need of care and support. The learned counsel for the petitioner has further contended that except the petitioner, there is nobody in his family to carry out the abovementioned repair work, and take care of his old-age parents. The learned counsel for the petitioner has further contended that in the backdrop of above situation, the petitioner filed an application for



his temporary release on parole for a period of eight weeks, through Jail Superintendent, but the abovementioned application of the petitioner has been rejected by the competent authority.

6. The learned counsel for the petitioner has further contended that as per communication received from the office of Senior Superintendent of Police Mansa, as well as Deputy Commissioner Mansa, the prayer of the petitioner for temporary release on parole has been declined on the ground that *‘in case, the petitioner is released from custody, he may pose a danger to public safety or may again indulge in selling drugs’*.

7. With regard to abovementioned communication, it has been contended by the learned counsel for the petitioner that the abovementioned rejection of application of the petitioner, for temporary release on parole, is arbitrary and illegal, as the abovementioned order has been passed without any basis or evidence. According to learned counsel for the petitioner, during the period of custody in the last more than three years and nine months, the petitioner has maintained good conduct and discipline in jail and has been faithfully following all the rules and regulations of the jail authorities, without involving any kind of misconduct and thus, he is eligible for temporary release on parole under the Act.

8. It has also been contended by learned counsel for the petitioner that the petitioner has given undertaking that if the benefit of temporary release on parole is accorded to the petitioner, he would not misuse the abovementioned concession in any manner, whatsoever, and would maintain peace and good behaviour during the release period also. According to learned counsel for the petitioner, the temporary release of petitioner on



parole will not prejudice the prosecution or the administration of justice in any manner, whatsoever, and that the petitioner is ready and willing to comply with any condition that may be imposed by the authority.

9. In addition to above, the learned counsel for the petitioner has also contended that in view of abovementioned facts, it is apparent that the order dated 23.01.2026 passed by the Senior Superintendent of Police Mansa and the order dated 10.02.2026 passed by the Deputy Commissioner Mansa, being illegal, are not sustainable in the eyes of law and deserve to be set aside. In the wake of abovementioned arguments, it has been urged by learned counsel for the petitioner that the benefit of temporary release of petitioner on parole for a period of eight weeks be accorded to him.

10. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, in the present case the application filed by the petitioner seeking for temporary release on parole, has been properly considered by the concerned authorities, and that the competent authority, i.e. Deputy Commissioner Mansa, has dismissed the abovementioned application of petitioner, regarding temporary release on parole, on valid and justified grounds.

11. According to learned State Counsel, before passing the abovementioned order, the report of Senior Superintendent of Police Mansa has been obtained and the SSP Mansa, vide his report dated 23.01.2026 (Annexure P-1), has reported that in the family of petitioner, there are his brothers, namely 'Wakeel Singh', 'Gurpreet Singh', mother 'Sinder Kaur', father 'Nikka Singh' and wife 'Asha'. As per learned State Counsel, it has



also been reported that they all are living separately and that only the wife of the petitioner lives at his home.

12. It has also been contended by learned State Counsel that the Senior Superintendent of Police Mansa has also informed that if the petitioner is temporary released on parole, there will be a threat of security to the State as well as public order. As per learned State Counsel, in view of abovementioned report, a well-reasoned order has been passed by the Deputy Commissioner Mansa, and therefore, there is no ground for inference in the observations recorded by the Deputy Commissioner Mansa in its order dated 10.02.2026, whereby the recommendation for temporary release of petitioner on parole has been denied.

13. The record has been perused carefully.

14. A perusal of record shows that in the present case, there is no denial of the fact that the sentence awarded to the petitioner is imprisonment up to ten years for the commission of offence punishable under Section 22C of NDPS Act. It is also an admitted fact that the petitioner has already undergone sentence for a period of more than three years and nine months. Thus, with regard to qualification of petitioner on the ground of length of sentence, there is no embargo for temporary release on parole.

15. In the present case, the denial of a temporary release of petitioner on parole is on the basis of the report of Senior Superintendent of Police Mansa dated 23.01.2026. The abovementioned report reads as under:-

“In connection with the above subject, an inquiry was conducted through the Station House Officer, Police Station Bhikhi and Deputy Superintendent of Police (S.D.) Mansa.



From which it has been found that prisoner Lovepreet Singh @Ladi son of Nikka Singh resident of Khiwa Khurd, Case Number 168 dated 02-08-2022 u/s 22C NDPS Act Police Station STF SAS Nagar is undergoing 10 years sentence in District Jail Mansa. Prisoner Lovepreet Singh @Ladi can come on parole and sell drugs, due to which the local police has an objection to his coming on parole. The point-wise report is as follows:-

- i. The above prisoner Lovepreet Singh @Ladi wants to come on 08 weeks parole to meet his family.*
- ii. In the family of the above prisoner Lovepreet Singh @Ladi, his elder brother Wakeel Singh, Gurpreet Singh his younger brother, mother Sinder Kaur, father Nikka Singh all live separately. Only his wife Asha lives at his home.*
- iii. There is a threat to the security of the state if the above prisoner Lovepreet Singh @Ladi comes on parole.*
- iv. There is a threat to public order if the above prisoner Lovepreet Singh @Ladi comes on parole.”*

16. In response to abovementioned report, the Deputy Commissioner Mansa, vide order dated 10.02.2026, has observed as under:-

“Regarding the above subject, in connection with the parole case received through the referenced letter, the Senior Captain Police, Mansa has reported through letter number 1265/C/A.C.-3 dated 23.01.2026 that prisoner Lovepreet Singh @Ladi son of Nikka resident of Khiwa Khurd, Case Number 168 dated 02.08.2022 under Section 22 of NDPS Act Police Station STF SAS Nagar is undergoing 10 years sentence in District Jail, Mansa. Prisoner Lovepreet Singh can come on parole leave and sell drugs. Because of which the local police has an objection to his coming on parole leave. There is a threat to the security of the state and public order if prisoner Lovepreet Singh @Ladi comes on parole.



Recommendation regarding the parole of prisoner Lovepreet Singh @Ladi son of Nikka Singh resident of Khiwa Khurd has not been made by Senior Captain Police, Mansa. Therefore, the prisoner's parole cannot be approved. This is for your information and necessary action."

17. As far as the abovementioned orders passed by the abovementioned two authorities are concerned, a bare perusal of the same shows that the competent authority, i.e. Deputy Commissioner Mansa, declined the application for temporary release of petitioner on parole, merely, on the basis of report submitted by the Senior Superintendent of Police Mansa dated 23.01.2026, and the report of Senior Superintendent of Police Mansa shows that for arriving at a decision that on temporary release of petitioner on parole, he is likely to indulge in sale of drugs or that his release will be a threat to public order and security of State, there is no reference of any material/evidence, at all, which might have been available with the SSP.

18. From the contents of the order itself, it is apparent that without application of mind and without any material, an adverse report has been submitted by the SSP Mansa, to the Deputy Commissioner Mansa, which by any standard cannot be relied upon.

19. Similar situation has been dealt with by the Division Bench of this Court in the case of 'Ram Chander Vs. State of Punjab', 2017(3) RCR (Criminal) 340, wherein it has been observed that 'likelihood of committing a crime while on parole would not be a sufficient ground to decline temporary release and it would not, as such, fall within the exceptions of the danger to the security of State and maintenance of public order'.



20. This Court in the case of ‘Daler Singh Vs. State of Punjab’, 2007(1) RCR Cri 316, has observed that ‘mere apprehension of petitioner to abscond is no basis for rejecting the case even if he was found indulging in smuggling activity. According to Division Bench of this Court in the abovementioned case, the ground upon which a convict is likely to abscond if released on bail, even in a case under the NDPS Act wherein the awarded sentence is 12 years, is without any basis’.

21. Similarly in the case of ‘Jugraj Singh @Bhola V/s State of Punjab & Ors’ 2010(25) RCR (Criminal) 138, the purpose of parole has been explained. It has been observed by this Court that ‘the release of a convict on parole is a wing of reformatory process. Section 3 of the Act has been enacted as a reformatory measure with an object to enable the prisoner to have family association or to perform certain family obligations and rituals. Until and unless sufficient material is available with the authorities giving solid reasons for declining the temporary release of a convict on parole, this benefit should not be declined to him. In the instant case, no such strong material or basis has been relied upon by the respondents while rejecting the prayer of the petitioner for releasing him on parole for four weeks to meet his family members’.

22. The Coordinate Bench of this Court in the case of ‘Narinder Singh @Nindi V/s State of Punjab & Ors.’ 2020(2) DC (Narcotics) 253, has observed that ‘in view of the beneficial nature of the statutory provisions made in the Act, which aimed at reformation and rehabilitation of the prisoner, the petitioner therein would be entitled to grant of parole for



socializing with his family members and the same would constitute sufficient cause within the meaning of Section 3(1)(d) of the 1962 Act’.

23. In the case of ‘Jeet Singh V/s State of Punjab & Ors.’ 2020(3) RCR (Criminal) 516, this Court has observed as under:-

‘the petitioner has sought temporary release on two counts firstly, he claims that his parents are of an advanced age and there is no one to take care of them at this old age and secondly, he claims that his house is in need of repairs. The claim on both grounds has been verified by a Municipal councilor, vide Annexure P-1. Though expression “sufficient cause” as mentioned in Section 3(1)(d) of 1962 Act, has not been defined, but the reasons given by the petitioner for his release on parole will fall within the ambit of “sufficient cause” and therefore, his request is entitled to be accepted’.

24. Similar situation has been dealt with by the Division Bench of this Court in the case of ‘Gursahib Singh V/s State of Punjab & Ors.’ CRWP-867-2021. In the abovementioned case, it has been observed that ‘the ground that there is an apprehension that he would be again involved and that he may abscond are mere imaginations of the authorities as such. It is the duty of the State itself that the convict should not indulge in such activities and preventive measures should be taken and on account of such apprehensions, the benefit of the release cannot be denied. The earlier involvement was of the year 2005 and much water has flown down after that. He is already suffered imprisonment for 4-1/2years and, therefore, for the same, he cannot be penalized twice by denying him the benefit of parole. Accordingly, we are of the considered opinion that the reasoning given in the impugned order 15.05.2020 (Annexure P-2) and the subsequent order



passed by the Deputy Commissioner 19.05.2020 (Annexure R-2/T) are not justified and do not stand reason. They are accordingly quashed and a writ of mandamus is issued to release the petitioner on parole for a period of 4 weeks. He shall surrender back to the Jail Authorities on the expiry of the said period’.

25. In the case of ‘Mohd. Iftkhar @Kaka V/s State of Punjab & Ors.’ CRWP-7999-2022, this Court has observed that ‘if there is nothing on record to substantiate as to what inputs were available with the SSP to come to the conclusion that the petitioner would indulge in the business of smuggling of intoxicating substances or would cause a law and order problem if he was released on parole, the order for rejection of concession of temporary release on parole based upon the abovesaid report is not sustainable’.

26. If the facts and circumstances of the present case are analyzed in the light of abovementioned principles of law, it transpired that in the present case also, without any substance and material, merely on the basis of such supposition, this observation has been drawn by the SSP Mansa that if released on parole, the petitioner may indulge in sale of drugs. The abovementioned observation, being without any legal foundation, is not sustainable.

27. Here this fact cannot be ignored that the sole purpose of the Act is to make sure that the petitioner would meet his family members and the general public. The abovesaid process is a reformatory process, whereby a convict is reintroduced to normal life and thus, by declining the said benefit on an application of parole, the reasoning given as discussed above, would



come within the vice of irrationality and perversity, in spite of the settled position of law.

28. Since the order regarding rejection of request of petitioner for his temporary release on parole is a non-speaking order, and totally based upon the abovementioned unsustainable report, it is hereby observed that the order dated 10.02.2026, passed by the Deputy Commissioner Mansa, whereby the request of petitioner for temporary release on parole has been declined, being a non-speaking order, and based on unsubstantiated report of SSP Mansa, deserves to be set aside.

29. As a sequel to above-mentioned order, it is hereby held that the present petition deserves to be allowed. Hence, the same is hereby *allowed*. The order dated 10.02.2026, passed by the Deputy Commissioner Mansa, is hereby set aside and the petitioner is hereby ordered to be released on parole for a period of eight weeks, subject to his furnishing bail/surety bonds to the satisfaction of competent authority, within a period of seven days from the date of receipt of certified copy of this order. The petitioner is directed to surrender before the jail authorities on the expiry of period of parole.

30. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

14.05.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No