



CRWP-13132-2025 (O&M)

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

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CRWP-13132-2025 (O&M)
Date of Decision: 27.02.2026

HARSH ALIAS HARSH CHAUDHARY

... Petitioner

V/S

**THE STATE OF UT CHANDIGARH
AND OTHERS**

... Respondents

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

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

Mr. Varun Baanth, Addl.P.P. U.T., Chandigarh.

GURVINDER SINGH GILL, J.

1. The petitioner herein assails order dated 20.11.2025, Annexure P-1, passed by respondent No.1, whereby the 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. Pursuant to notice of motion having been issued, respondents No.1 and 2 has filed reply by way of affidavit of Dr. Palika Arora, Addl. Inspector General of Prisons-cum-Superintendent, Model Jail, Chandigarh, which



is accompanied by a letter of District Magistrate, UT, Chandigarh to the Inspector General of Prisons, U.T., Chandigarh, wherein, there is reference to the report of Senior Superintendent of Police, U.T., Chandigarh. The relevant extract of which reads as under:-

Sr.No.	Information required	Remarks.
1.	Whether the presence of prisoner is dangerous to the security of state or prejudicial to the maintenance of public order?	The presence of <u>prisoner is dangerous</u> to the security of state or prejudicial to the maintenance of public order
2.	Whether the address given by the prisoners is correct or not?	The address given by the prisoner is found correct
3.	The grounds mentioned in the application may also be got verified from the local police?	The ground mentioned in application has been verified by the local police
4.	Whether the Police Department has any objection on the release of said convict?	<u>Local police has objections to release</u> on the release of above said convict
5.	Whether the conduct of convict during previous parole/furlough is satisfactory or not?	The above said convict is availing his first parole.

3.
- Learned State counsel has filed custody certificate indicating that the petitioner as on date has undergone an actual sentence of 3 years and 23 days. He is not stated to be involved in any other case.
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, criminal writ petition is allowed and order dated 20.11.2025 passed by respondent No.1 is set aside and quashed. The competent authority shall consider the case of the petitioner *de hors* the previous report and pass necessary orders in accordance with law for temporary release of the petitioner on parole preferably within two weeks subject to his furnishing necessary surety to the satisfaction of the competent authority and undertaking to maintain peace and good behaviour during the period of parole and also surrender in the Jail after expiry of his parole.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

27.02.2026
pooja saini

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No