

(2020) 09 P&H CK 0155

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 782 Of 2020

Rajwinder Singh @ Raju

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 21-09-2020

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2020) 09 P&H CK 0155

Hon'ble Judges : Daya Chaudhary, J;Meenakshi I. Mehta, J

Bench : Division Bench

Advocate : Harchand Singh Batth, Sandeep Vermani

Final Decision : Disposed Of

Judgement

Daya Chaudhary, J

Petitioner-Rajwinder Singh @ Raju has filed the present writ petition under Article 226/227 of the Constitution of India for quashing of order dated 07.01.2019 (Annexure P-2) passed by learned District Magistrate, Amritsar (respondent No.3) whereby the application filed by the petitioner for seeking parole has been rejected on the ground that release of the petitioner on parole may danger to the security of the State and maintenance of law and order.

Learned counsel for the petitioner submits that the petitioner has undergone the total custody of more than 04 years and 06 months and no other case is pending against him. He also submits that co-accused of the petitioner has already been released on parole on 28.05.2019.

Learned State counsel has not disputed the factum of release of co-accused on parole as well as the fact that there is no other case is pending against the petitioner. Even the custody has not been disputed by learned counsel for the State.

Heard arguments of learned counsel for the parties and we have also perused

the documents available on the file.

Admittedly, co-accused of the petitioner, namely, Avtar Singh @ Chaku, has been released on parole and there is no other case against him.

Accordingly, by considering the parity with his co-accused, namely, Avtar Singh @ Chaku, who has been released on parole and also the fact that there is no other case against the petitioner, therefore, respondent No.3 is directed to reconsider the case of petitioner for releasing him on parole on the same pattern with his co-accused.

The necessary exercise be done within a period of one week from the date of receipt of certified copy of this order.

Disposed of accordingly.