



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

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**COCP-2257-2024 (O&M)
Date of Decision: 01.09.2025**

Sukhjinder Singh @ Sukhi

.....Petitioner

Vs.

Himanshu Garg, IAS

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. R.P. Kataria, Advocate for
Mr. Sanjeev Verma, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 15.04.2024 passed by this Court in CRWP-3161-2024.

2. The relevant portion of order dated 15.04.2024 passed by this Court in CRWP-3161-2024, is reproduced as under:-

“6. In view of the limited prayer made by learned counsel for the petitioner, the petition is disposed of with a direction to respondent No.3 - The District Magistrate, Jalandhar to look into the application moved by the petitioner under Section 3(1)(d) of the Act for grant of eight weeks parole, and decide it in accordance with law at the earliest.”

3. Learned State counsel submits that in compliance of order dated 15.04.2024, compliance affidavit of Himanshu Aggarwal, District



Magistrate, Jalandhar, dated 02.12.2024 along with Annexure R/1 and R/2, has been filed. He further submits that in compliance of order dated 15.04.2024, a speaking order dated 22.07.2024 has been passed.

4. The relevant portion of compliance affidavit of Himanshu Aggarwal, District Magistrate, Jalandhar, filed on 02.12.2024, is reproduced as under:-

“4. That it is pertinent to mention here that due to the Model Code of Conduct (MCC), restrictions were imposed in view of General Elections to the Lok Sabha, the cases of release of prisoners on parole were temporarily kept on hold till the time MCC was in place, therefore, the parole case of the prisoner was kept on hold initially. However, meanwhile the petitioner had approached Hon'ble Punjab and Haryana High Court. In view of the directions issued by the Hon'ble Court in CRWP No. 3161 of 2024 on 15.04.2024, reports were immediately sought from Police counterpart. The Parole was not recommended by Police Authorities vide their first report dated 27.05.2024. However, the deponent was not satisfied with the explanation given for rejection of parole and again sought report from Police on 07.06.2024 and 04.07.2024. Since the case was under consideration, this present Contempt Petition (COCP No. 2257- 2024) was filed in the Hon'ble Court. Again in the light of orders passed by the Hon'ble Court, detailed report from Senior Superintendent of Police (Rural) was sought vide 546/Reader/DC dated 16.07.2024. Senior Superintendent of Police (Rural) vide his report dated 17.07.2024, has not recommended the grant of parole to this prisoner and has revealed that Nine Cases of Serious Offences have been registered against the prisoner. It has also been revealed that if prisoner is released on parole, law and order of State may be disturbed, which eventually may lead to endanger to the State security as well. The Senior Superintendent of Police has even



mentioned that there is sufficient evidence that the convict during his last parole was not living in Punjab, in fact, his mobile locations were traced to various other locations outside Punjab and as such, it is apprehended that he may even abscond the country during his recent parole period. Furthermore, the father of the prisoner has also informed the police that he is in a good health, therefore, rendering no ground for the petitioner to grant him parole, at this stage.

5. That immediately after receiving the requisite report & going through the facts & circumstances of the present case, the deponent passed the Speaking Order on 19.07.2024 issued vide Endst. No. 546/538369/Reader/DC dated 22.07.2024 in which the application filed by the petitioner for grant of parole had been rejected. The copy of the detailed Speaking Order dated 19.07.2024 is annexed as ANNEXURE R-1.

6. Petitioner, meanwhile had challenged the above mentioned order dated: 19.07.20024 (ANNEXURE R-1) in Hon'ble Punjab and Haryana High Court. Hon'be High Court while deciding the CRWP 10281-2024 (O&M) titled Sukhjinder Singh Sukhi Vs State of Punjab and Other has passed orders dated: 23.10.2024. The relevant portion of the order dated: 23.10.2024 passed by the Hon'ble Hight Court is reproduced as under:-

"7. Consequently, the petition is allowed and impugned order dated: 19.07.2024 (Annexure P-1) is set aside. The petitioner would be released on parole for a period of six weeks subject to following conditions besides furnishing necessary surety bonds to the satisfaction of the competent authority:-

I. At the time of release of the petitioner, the concerned SHO shall be informed and the petitioner shall furnish his mobile location to him.

II. As the petitioner has to look after his ailing father, who is residing in the native village, the petitioner would be



permitted to travel to any of the places where his father would have to be taken for medical treatment.

III. In the event of the petitioner's father being taken for medical treatment outside the village, the petitioner would be permitted to travel along with his father. He shall inform the SHO of the concerned Police Station in that regard and furnish the relevant travel details including the days to travel, address of stay etc. to the SHO.

8. On the expiry of period of 06 weeks, the petitioner shall positively surrender to the concerned jail."

7. Immediately in compliance the above said orders dated: 23.10.2024, the undersigned has issued the warrant of 06 weeks parole to the petitioner vide Endst. no. FN119/97672 dated: 28.10.2024 and eventually the petitioner has been released from the Hoshiarpur Central Jail on dated 06.11.2024. The copy of the Parole Warrant vide No.FN119/97672 dated 28.10.2024 is annexed as Annexure R-2."

5. A perusal of the above shows that order dated 15.04.2024 passed by this Court in CRWP-3161-2026, has been complied with. This fact is not disputed by learned counsel for the petitioner.

5. In view of the above, the contempt is purged and rule is discharged.

6. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

September 01st, 2025

Sahil

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No