

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP No. 1047 of 2015
Date of Decision : 17.07.2015

Baldev Singh

.....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Ms. Anju Arora, Advocate
for the petitioner.

R.P. Nagrath, J. (Oral)

Prayer in the instant petition is made under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. for issuance of a writ directing the respondents to release the petitioner on parole on the ground of illness for the period of 8 weeks in accordance with provisions of the Punjab Good Conduct Prisoners (Temporary) Release Act, 1988.

Notice of motion.

On asking of the Court, Mr. Ankur Jain, AAG, Punjab accepts notice on behalf of respondents No. 1 to 3.

Let requisite number of copies of paper-book be supplied to learned State counsel during course of the day.

The petitioner is undergoing imprisonment of his conviction for offence under Sections 138 of the Negotiable Instrument Act and is in custody since 23.09.2014.

Learned counsel for the petitioner submits that due to serious health condition of the petitioner he needs treatment from specialized doctors from good hospitals like PGI, Fortis etc.

Learned State counsel, however, submits that parole is

considered only after the expiry of one year from the date of entry of convict into the jail.

Learned counsel for the petitioner, however, submits that health condition of the petitioner is deteriorating and he has already suffered two heart attacks. It is also submitted that the petitioner has already made a representation dated 21.06.2015 (Annexure P-2) to the Superintendent, Central Jail, Ferozepur.

In view of the order proposed to be passed, the response from the State is not required.

After having heard learned counsel for the petitioner and the State counsel, the instant petition is disposed of with a direction to respondent no. 3-Superintendent, Central Jail, Ferozepur to decide the representation (Annexure P-2) made by the petitioner expeditiously and preferably, in accordance with law, expeditiously and preferably within a period of 3 weeks from the receipt of certified copy of this order.

July 17, 2015
jkk

(R.P. NAGRATH)
JUDGE