

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

**Crl. Writ Petition No. 1204 of 2015 (O&M)
Date of decision : 01.10.2015**

Rajender Singh

..... Petitioner

versus

State of Haryana & Ors.

... Respondents

CORAM:- HON'BLE MS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the digest? Yes/No

**Argued by: Mr. V.S. Rana, Advocate
for the petitioner.**

Mr. Gurdas Singh Salwara, DAG Haryana.

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ANITA CHAUDHRY, J.

The petitioner is undergoing twenty years sentence in District Jail, Rohtak, in FIR No. 8 dated 09.01.1996, under Section 29 of Narcotic Drugs and Psychotropic Substances Act. His appeal against the conviction had been dismissed by this Court

Through the instant petition, the petitioner is seeking emergency parole for five months on medical grounds. It was averred that the petitioner is suffering from Hepatitis-C and as per medical advice, he has to be given a specific vaccination every week, regularly for 48 weeks. The cost of one injection is Rs.16353/-. Medical record of the petitioner had been placed on record and it was submitted that the petitioner though had been provided treatment in the jail, but is not maintaining good health.

Learned counsel for the petitioner submits that the petitioner may be released on parole at least for eight weeks, so that he can be looked after by his family.

In the reply filed by the State, it was admitted that the petitioner is a patient of Hepatitis-C and is undergoing treatment in PGI, Rohtak. Necessary grant for his treatment had been received from the Government. State has also filed the medical certificate of the petitioner mentioning that last injection was given to him on 29.09.2015 Eight more injections are required to be given to him.

I have heard learned counsel for the parties and have gone through the paper-book.

Section 3(1)(a) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 envisages temporary release of the prisoner in case of his serious illness or of his family or in case of death of family member. The State has not disputed that the petitioner is suffering from Hepatitis-C and is undergoing treatment in PGI. A perusal of medical report, Annexure R-1, annexed with the reply, shows that the general condition of the petitioner is not good despite treatment at PGI, Rohtak. Earlier also, this Court had granted parole to the petitioner vide order dated 20.07.2012 passed in Crl.W.P. No. 1019 of 2012. There is nothing on record to suggest that there was any breach of order dated 20.07.2012 by the petitioner. The petitioner had remained absent five times during parole, but that was prior to 2003. The last parole was from 04.07.2015 to

02.08.2015. It has also come in reply that the conduct of the petitioner had remained good in jail.

For the aforesaid reasons, the instant petition is partly allowed. Directions are issued to the Competent Authority i.e. the Superintendent, District Jail, Rohtak to release the petitioner on emergency parole for a period of six weeks on his furnishing adequate bail bonds and surety bonds to enable him to get himself properly treated. The parole period would commence from 6.10.2015 and the petitioner is required to surrender before the jail authorities on 18.11.2015

October 01,2015
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(ANITA CHAUDHRY)
JUDGE