

In the High Court of Punjab and Haryana at Chandigarh

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Criminal W.P. No.1470 of 2015

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Date of decision:10.12.2015

Suresh Kumar

...Petitioner

v.

State of Haryana and another

...Respondents

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vikrant Pujara, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

This criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of directions to respondents to grant 12 weeks emergency parole to the petitioner as he is suffering from Factor V Mutation, homocystinuria with portal vein thrombosis disease and the condition of the petitioner is deteriorating day by day and he requires medical treatment immediately, which is not getting inside the jail and the petitioner is ready to bear the expenses of medical treatment on his own.

Notice of motion was issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General, Haryana has appeared on behalf of the respondent-State and contested this petition.

The learned State counsel was directed to place on record the medical

report. The fresh medical report by way of affidavit of the Superintendent of District Prison, Karnal along with the medical report submitted by the Medical Officer, District Prison, Karnal has been placed on record.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Haryana and have gone through the record.

From the medical report sent by the Medical Officer, District Prison, Karnal, I find that the petitioner was referred to AIIMS, New Delhi on 26.11.2015 for opinion and fresh medical status report of the patient. He was advised treatment and told to continue the treatment for at least six months as per Dr. Tulika Sethi, Additional Professor/Department of Hematology, AIIMS, New Delhi. He was referred to Gastroenterology OPD at AIIMS, New Delhi on 26.11.2015 and was advised treatment and follow-up for six months at AIIMS, New Delhi. It is also in the medical report that the advised treatment is being provided to him by the prison hospital. The general condition of the patient as examined on 9.12.2015 is stable.

Keeping in view the report of the Medical Officer, District Prison, Karnal, the petitioner was recently sent to AIIMS, New Delhi and he was advised to continue with the treatment at least for six months, therefore, the report also shows that he was also examined on 9.12.2015 i.e. yesterday and found that his condition was stable. In view of the medical report no ground for grant of emergency parole for 14 weeks is made out on the ground of medical treatment. In the report, the doctor has also stated that the treatment as advised is being provided to the patient.

Therefore, in view of the above position, the present petition is

[3]

dismissed. However, the Superintendent, District Prison, Karnal is directed to provide the medicines etc. to the petitioner even at the expenses of the petitioner and to get him regularly checked-up.

December 10, 2015.

(Inderjit Singh)
Judge

hsp