

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 20670 of 2016

ORDER:

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The present Writ Petition came to be filed questioning the action of the respondents in not considering the application of the petitioner for extension of parole for a period of 90 days ie. from 14.06.2016 to 14.09.2016.

The petitioner, who is sentenced to suffer imprisonment for life by the Sessions Court, filed an application seeking extension of parole. The petitioner herein was initially granted parole for one month as per G.O.Rt.No.393, dated 14.03.2016 and pursuant to the said order the petitioner was released from jail on 31.03.2016. The said parole was extended by another period of 45 days vide G.O.Rt.No.565, dated 28.04.2016 and G.O.Rt.No.680, dated 30.05.2016. Subsequently, the petitioner made a representation dated 06.06.2016 seeking further extension of parole for a period of 90 days from 14.06.2016 to 14.09.2016.

A perusal of the material on record would show that aggrieved by the conviction and sentence the petitioner preferred an appeal before this Court vide CrI.A.No.177 of 2013 and the same is pending. By an order dated 13.06.2016 passed in W.P.No.18578 of 2016 this Court while considering the request of the petitioner extended the period of surrender by two weeks from 14.06.2016 directing the respondents to consider the representation dated 07.06.2016 made by the petitioner within the said period.

Today when the matter is taken up for hearing, it is brought to the notice of the Court by the Government Pleader for Home that the representation of the petitioner was rejected.

At this stage, the petitioner, who is appearing in-person, states that he has to surrender before the Jail authority by today evening and it would be difficult for him to surrender. It is his case that if he fails to surrender before 5.00 p.m. there is every likelihood of he being put to further more penalties and he could not be entitled for parole again, hence he seeks extension by another couple of days.

It is to be noted that the grant of parole is purely discretion of the Government. At the most, the petitioner can challenge the order rejecting his request for extension of parole if it is contrary to the provision of law. For the present, it would be sufficient to extend the time granted to the petitioner for surrender till 01.07.2016.

Accordingly, the writ petition is disposed of and the time granted to the petitioner to surrender is hereby extended by 5.00 p.m. on 01.07.2016. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

27.06.2016

Note: Issue C.C. today.

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