

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.1206 of 2016 (O & M)

Date of decision: 14.09.2016

Ashwani Kumar

....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE S.S.SARON
HON'BLE MS. JUSTICE LISA GILL

Present: Ms. Bhupinder Pal Kaur Brar, Advocate
for the petitioner.

S.S.SARON,J.

The Criminal Writ Petition has been filed for temporary release of the petitioner on parole on the ground that the father of the petitioner namely Husan Lal is suffering from Squamous Cell Carcinoma of Larynx.

The last parole was granted to the petitioner by the jail authorities on medical ground for a period of six weeks so as to enable the petitioner to look after his father. The petitioner was due to surrender before the jail authorities on 27.07.2016. However, the condition of the father of the petitioner was serious. The petitioner approached this Court by filing Criminal Writ Petition No.976 of 2016 seeking extension of parole. The parole of the petitioner was extended by this Court for one month that is upto 26.08.2016. The petitioner surrendered in jail on the due date i.e. on 26.08.2016. On the next day i.e. on 27.08.2016, the petitioner submitted an application (Annexure P-1) to the Superintendent, District Jail, Sangrur for grant of further parole for six weeks.

Learned counsel for the petitioner submits that the health

of the father of the petitioner is deteriorating and the doctor has advised weekly Chemotherapy. A reference has been made to an undated certificate from the Fortis Hospital, Mohali, which is addressed; "To Whom it May Concern". It is mentioned that Husan Lal (father of the petitioner) is 64 years old. He is diagnosed as a case of Squamous Cell Carcinoma of Larynx. He is receiving treatment from Fortis Hospital, Mohali with Chemotherapy (weekly) plan- weekly DCF for four months. As already noticed, there is no date mentioned on the said certificate. Even otherwise, the father of the petitioner has been discharged from Fortis Hospital, Mohali on 12.08.2016 after receiving treatment.

In the circumstances, no ground is made out for grant of temporary release on parole especially when the petitioner has already availed six weeks parole, which was further extended by this Court for one month. Now only weekly Chemotherapy is to be administered on the father of the petitioner.

In the circumstances, there is no merit in the petition and the same is accordingly dismissed.

(S.S. SARON)
JUDGE

(LISA GILL)
JUDGE

14.09.2016
A.Kaundal

Note:

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| 1. Whether the order is speaking/reasoned: | Yes |
| 2. Whether the order is reportable : | No |