

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

CRWP-1338-2016 (O&M).

Date of Decision: 30.11.2016.

Mohd. Anwar

....Petitioner.

VERSUS

State of Punjab and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Ishan Gupta, Advocate for the petitioner.

Mr. Neeraj Sharma, Assistant Advocate General, Punjab.

SNEH PRASHAR, J.

CRM-W-319-2016

Document Annexure-P3 is taken on record, subject to all just exceptions and application stands disposed of accordingly.

CRWP-1338-2016 (O&M)

The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure had been filed for extension of parole, granted to the petitioner upto 21.10.2016, for a period of six weeks on the ground that he is seriously ill and is suffering from Hepatitis C Virus RNA Genotyping 3 and needs proper and regular medication alongwith special diet.

The submissions made by Mr. Ishan Gupta, learned counsel representing the petitioner and Mr. Neeraj Sharma, learned Assistant Advocate General representing the State of Punjab have been heard.

As gathered from the pleadings of the petitioner and the facts enumerated in the reply filed by the State, the petitioner was released on parole on 08.09.2016 and was directed to surrender before the jail authorities on 21.10.2016. However, before the date fixed for surrender, he filed the instant petition for extension of parole period. Vide order dated 19.10.2016 the period was extended till the next date of hearing i.e. 04.11.2016. Subsequent to that pending instant petition parole of the petitioner continued.

A prescription slip dated 20.10.2016 issued by Bibi Fatima Liver Clinic, Sirhandi Gate, Malerkotla has been placed on record today by the petitioner. The prescription slip does not mention that the petitioner is confined to bed or his physical condition is such that it will not be safe for him to surrender before the jail authority. On the other hand, reply in the form of affidavit of Hardeep Singh, PPS, Superintendent, District Jail, Sangrur has been filed by learned State counsel wherein it is mentioned that treatment of the petitioner, who is HCV positive, is possible in District Jail under the supervision of medical specialist. It is also mentioned that there are number of other patients of HCV positive in District Jail, Sangur whose treatment is going on from Civil Hospital, Sangur.

In the light of the aforesaid facts, it appears that there is no ground to further extend the parole period of the petitioner. He is only on medication which can continue even when he is in the jail. However,

treatment/medicine is made available to the petitioner regularly under the supervision of the medical specialist. The petitioner shall surrender before the jail authorities on 01.12.2016 and accordingly this petition is disposed of. CRM-W-304-2016 also stands disposed of.

(SNEH PRASHAR)
JUDGE

30.11.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No