

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

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**Crl.W.P No. 1450 of 2016 (O&M)
Date of Decision: 22.11.2016**

Harmail Singh

.... Petitioner

Vs.

State of Punjab & Anr.

.... Respondents

**CORAM: HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR. SHEKHER DHAWAN**

Present: - Mr. P.S.Sekhon, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

MAHESH GROVER, J.(ORAL)

The petitioner has moved this petition for extension of parole. He was to surrender on 19.11.2016, after availing parole granted for construction of his house. This period having expired, he has surrendered before the jail authorities. Strictly, this would imply fresh consideration for grant of parole.

However, noticing that the petitioner had approached this Court prior to the extinguishment of the period of parole, we deem it appropriate to answer the petition. The petitioner has placed on record photographs to suggest that he is in the midst of constructing the house.

Respondents have filed reply by way of affidavit of Hardeep Singh, PPS, Superintendent District Jail Sangrur, who has admitted the factual position and also stating that they would have no objection if the petitioner's parole is extended. The factum of the house of the petitioner being in dilapidated condition is also not disputed.

After hearing learned counsel for the parties and noticing the stand taken by the respondents, we would deem it appropriate to answer the petition rather than remitting it back to the respondents for consideration of the prayer made by the petitioner, so as to obviate any unwarranted inconvenience and delay.

In view of the affidavit filed by the respondents, we allow the present petition and grant parole to the petitioner w.e.f 28.11.2016 for a period of six weeks' on his completing necessary formalities, if any, provided that the total period of parole of the petitioner of 12 weeks' in the calendar year is not exceeded and if it does then in such an eventuality the period specified by us would be curtailed, accordingly.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

November 22, 2016
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Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No