

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

**CRWP No.28 of 2016**

**Date of decision:-13.1.2016**

**Gurwinder Singh**

**..... Petitioner**

**VERSUS**

**State of Punjab and ors.**

**..... Respondents**

**CORAM:   HON'BLE MR. JUSTICE S.S. SARON  
HON'BLE MR. JUSTICE GURMIT RAM**

**Present:   Mr. C.S. Rana, Advocate  
for the petitioner.**

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**S.S. SARON, J.**

The petition has been filed under Article 226 of the Constitution of India praying for directing respondents to extend the parole of the petitioner for a period of one month as his mother is having stone in her gall bladder and she requires surgery as per medical record.

The petitioner has been convicted in case FIR No.131 dated 17.8.2011 registered at Police Station City South Moga, District Moga for the offences punishable under Sections 302, 307, 148, 149 and 325 Indian Penal Code. At present the petitioner is undergoing his life imprisonment at Modern Jail, Faridkot. Criminal Appeal No.D-1327-DB of 2015 against his conviction and sentence is pending in this Court. The petitioner was granted parole for a period of 28 days by the Superintendent of Jail for repairing his house. Now he is to surrender before the jail authorities on 15.1.2016. The mother of the petitioner namely Mukhtiar Kaur aged about 55 years, it is stated is having stone in

gall bladder. She is getting treatment for the same from Garg Hospital at Moga. The doctor has advised her immediate surgery. The medical record of the mother of the petitioner showing that she is having the stone in the gall bladder is attached as Annexure A-1. The father of the petitioner it is stated is an old aged person suffering from various ailments. The other brother of the petitioner is also in jail. The Municipal Councilor, Moga in terms of certificate (Annexure P-2) has recommended for the extension of the parole to the petitioner. There is no one in the family to look after the mother of the petitioner.

We have given our thoughtful consideration to the matter.

The mother of the petitioner is stated to be aged 55 years. However, the age of the father of the petitioner has not been mentioned and it is merely mentioned that he is an old aged person besides suffering from various ailments. In case the mother of the petitioner is 55 years of age, his father would not be so old that he cannot look after the mother of the petitioner. Besides from the medical evidence that has been brought on record, nothing has been shown that the patient Mukhtiar Kaur who is mother of the petitioner requires surgery.

In the circumstances, we find no merit in the writ petition and the same is accordingly dismissed.

**(S.S. SARON)**  
**JUDGE**

**(GURMIT RAM)**  
**JUDGE**

**13.1.2016**  
**Brij**