

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

**CRWP-1551-2017 (O&M)
Date of decision: 26.12.2017**

Virender @ Swami

... Petitioner

Vs.

State of Haryana & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.**

Present: Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Reply by way of affidavit of the Deputy Superintendent, District Jail, Yamuna Nagar has been filed in Court today and the same is taken on record. Copy has been supplied to counsel opposite.

Prayer in the instant petition is for issuance of directions to the respondents to release the petitioner on parole for a period of one month.

The prayer made in the petition is founded on the basis that mother of the petitioner is seriously ill and requires immediate medical attention.

Apparently, an application dated 03.12.2017 seeking parole has been submitted to Superintendent, District Jail, Jagadhari (Yamuna Nagar) but till date no decision thereupon has been taken.

Learned State counsel would oppose the prayer by submitting that the medical certificate placed on record from PGI, Chandigarh at Annexure P-1 relates to the month of May, 2017 and where from it cannot

be inferred as to whether mother of the petitioner is in need of any immediate surgical intervention.

We have heard counsel for the parties.

Without going into the merits of the prayer, we find that it is certainly obligatory for the competent authority i.e. the Superintendent, District Jail, Jagadhari (Yamuna Nagar) to consider the prayer of the petitioner seeking parole under the relevant provisions i.e. The Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

Accordingly, the instant petition is disposed of with a direction to the 3rd respondent i.e. the Superintendent of Jail, District Jail, Yamuna Nagar (Haryana) to take a final decision on the application dated 03.12.2017 at Annexure P-2 strictly in accordance with law. The decision as directed be taken expeditiously and in any case within a period of two weeks from the date of receipt of a certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(MAHABIR SINGH SINDHU)
JUDGE

26.12.2017

harjeet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No