

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

CRWP-262-2017

Date of decision :07.03.2017

Manoj

.....Petitioner

Versus

State of Haryana & Another

.....Respondents

**CORAM : HON'BLE MR.JUSTICE T.P.S. MANN
HON'BLE MR.JUSTICE H.S. MADAAN**

Present : Mr. J.S. Sathi, Advocate
for the petitioner.

T.P.S. MANN, J. (Oral)

Prayer made in the petition filed by convict-Manoj under Article 226 of the Constitution of India read with Section 3(1)(a) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 is for issuance of directions to the respondents to extend his parole beyond 08.03.2017 so as to enable him to take care of his wife who is in an advanced stage of pregnancy and has been advised complete bed rest.

The petitioner is presently on parole since 07.02.2017 and required to surrender before the jail authorities on 08.03.2017 on completion of period for which he has been released on parole.

According to the petitioner, his wife-Sonam is in an advanced stage of pregnancy and likely to deliver the child in the second half of the

month of April, 2017. As she was experiencing severe pain in abdomen, she was got examined at a private hospital in Modi Nagar, Ghaziabad on 15.02.2017 and keeping in view her condition, the Doctor advised her complete bed rest / medication. It is also the case of the petitioner that the petitioner's wife underwent ultrasound on 25.02.2017 and it was noticed that the amniotic fluid is almost absent. Prayer has, accordingly, been made for extending his parole.

The petitioner is presently undergoing life imprisonment in case FIR No.465 dated 01.10.2007 under Sections 364, 395, 302 and 412 IPC and Section 25 of the Arms Act. On perusal of the custody certificate (Annexure P-1) it is made out that the petitioner had earlier come out on parole on 06.07.2012 for six weeks and directed to surrender on 18.08.2012, but he did not surrender on the said date. He was admitted after arrest by police on 13.07.2013 i.e. about over-staying parole for 10 months and 25 days.

On being asked by the Bench, learned counsel for the petitioner has informed the Court that the petitioner was released on parole w.e.f. 07.2.2017 on the ground that his wife was at an advanced stage of pregnancy and there was every likelihood of some complications developing for the reason that even the first delivery was eventful.

After hearing learned counsel for the petitioner, this Court finds that the request of the petitioner for extension of his parole for another period of 6 weeks cannot be granted. However, taking a sympathetic approach, this court finds that parole of the petitioner can be extended by a week.

Resultantly, the petition is disposed of by extending parole of

the petitioner upto 15.03.2017. He shall thereafter surrender at the jail gate at 11:00 a.m. on 16.03.2017.

(T.P.S.MANN)
JUDGE

07.03.2017
Gaurav Sorot

(H.S. MADAAN)
JUDGE

Whether Speaking / reasoned?	:	Yes
Whether Reportable?	:	No