

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.18266 of 2018

Date of Decision: 26.07.2018

Sanjay @ Sanju

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjeev Majra, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

1. This is an application for parole under Section 3 sub Sections (1) (a) (d), (2) (a) (b) and Section 7 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988. The petitioner has been convicted in a case of dacoity in FIR No.18 dated January 21, 2014 for commission of offences under Sections 395, 397 IPC and Section 25 of the Arms Act registered at Police Station, DLF-01, Gurugram, Haryana. The petitioner has been convicted and sentenced to undergo rigorous imprisonment for a period of seven years with a fine of Rs.5,000/- vide judgment and order of conviction and sentence dated February 27, 2018 and February 28, 2018 respectively by the learned Additional & Sessions Judge, Gurgaon. He has applied for parole on the ground that his wife is seriously ill and was admitted in hospital on October 19, 2017 and remained under regular medication and treatment and suffered seizures. She has been advised further surgery. He avers in the petition filed on July 24, 2018 that he has undergone sentence period of two years and one month approximately. There is no complaint from the Jail authorities and inmates in the jail regarding his conduct in jail.

The request has been turned down by the Superintendent, District Jail, Faridabad. The petitioner belongs to area falling under Gram Panchayat, Maden, District Mathura, State of Uttar Pradesh. He is permanent resident of Village Chekara, Police Station Raya, Tehsil Mahavan, District Mathura, Uttar Pradesh. He is confined in District Jail, Faridabad. The Gram Panchayat has recommended release of the petitioner on parole assuring that if the petitioner is released on parole there shall not be danger to peace in the village. The crime has been committed in Gurugram. The line of treatment of the petitioner's wife or the surgery involved is not disclosed except by attaching some medical papers at Annex P-2. The C.T. Scan shows cholelithiasis with chronic cholecystitis. The wife has been advised Cholecystectomy. It is not known whether any surgery has been prescribed and when it is to be performed. The petitioner has not pleaded that there is no one else to look after his wife in case of medical treatment/surgery except making a bald statement that the wife of the petitioner is alone at home and there is no one to help her in getting treatment.

2. Having considered all the aspects, I find no cogent and trustworthy reason to accept the prayer for release on parole at this stage for the reason furnished without any specific material particulars and accordingly, I would dismiss the petition.

(RAJIV NARAIN RAINA)
JUDGE

26.07.2018
manju

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No