

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

CWP No.5309 of 2019

Date of decision: 07.03.2019

Lachman Singh

...Petitioner

VS.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

HARINDER SINGH SIDHU, J.

This petition has been filed for extension of parole on medical grounds.

The petitioner has been convicted and sentenced to undergo imprisonment for life in case FIR No.559 dated 3.8.2001 under Section 302 IPC, Police Station Samana, District Patiala. His Criminal appeal bearing CRA-D-677-DB of 2003 has been dismissed by this Court.

Vide order dated 22.1.2019 (Annexure P-1), the petitioner has been released on parole w.e.f. 22.01.2019 to 07.03.2019 for agriculture purposes. He is required to surrender before the Superintendent, Central Jail, Patiala, today.

It is the case of the petitioner that he is 63 years old and suffering from prostate cancer. In the prison there is no proper treatment for his ailment. Thus, he has prayed for extension of his parole by one month i.e. till 07.04.2019. In support of his submissions, the medical record of the petitioner from Department of Radiodiagnosis, Rajindra Hospital, Patiala and Department of Pathology, Government Medical College, Patiala are placed on record as Annexure

Learned counsel for the petitioner states that after his release on parole he again got himself medically examined and he is required to undergo Radiation Therapy which is not available in the Central Jail.

Though no reply has been filed, however, learned counsel for the State does not dispute his medical condition which is also clear from the reports (Annexure P-2).

The petitioner was earlier released for agricultural purpose which was also utilized by him for his medical check up. The petitioner is now seeking extension of parole on urgent medical grounds. It cannot be said that the medical condition of the petitioner would not entitle him for release on parole for his treatment. If that be so, in the facts of the present case, when the petitioner needs to undergo Radiation Therapy urgently requiring him to first surrender before the jail authorities on expiry of the earlier parole and then releasing him on parole may not be proper as any interruption in his medical treatment may prove harmful.

Accordingly, this petition is allowed.

The parole period of the petitioner is extended by four weeks from 7.3.2019. He shall surrender before the Superintendent, Central Jail, Patiala on or before 5:00 P.M on 07.04.2019.

A copy of this order be supplied to learned counsel for the petitioner under the signatures of the Bench Secretary.

March 07, 2019

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No