

CWP-10309-2019 (O&M)

139

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

**CWP-10309-2019 (O&M)
Date of decision : 18.04.2019**

Gurdeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rajesh Punj, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

AMIT RAWAL, J. (ORAL)

Pre-lunch Session

Prayer in the present writ petition is for directing the respondents especially respondent No.2, for extension of the order dated 07.03.2019 passed by respondent No.2, Superintendent, Central Jail, Patiala, vide which, the petitioner was granted six weeks' parole, which is going to expire on 19.04.2019, on medical grounds and for extension of parole for four weeks.

Notice of motion.

On the asking of the Court, Mr. Avinit Avasthi, AAG, Punjab, accepts notice on behalf of the State and seeks time to get instructions.

To come up after lunch for further orders.

Post Lunch Session

Learned counsel for the petitioner submitted that the petitioner was convicted and sentenced to undergo for a period of ten years and to pay fine of ₹ 1 Lac, in respect of commission of offence under Section 18 of the Narcotics Drugs and Psychotropic Substances Act, 1984 (in short 'the NDPS

CWP-10309-2019 (O&M)

Act'), with regard to FIR No.52 dated 30.06.1996, at Police Station Sadar Nabha. The petitioner has already undergone nine years, one month and twenty five days. He has also filed CRM-M No.29571 of 2018 to remit his remaining sentence. Vide order dated 07.03.2019, the petitioner was granted six weeks' parole, which is going to expire on 19.04.2019. As per OPD Card dated 12.02.2019 (Annexure P-2), the petitioner had already been undertaking the treatment from PGIMER, Chandigarh.

The respondent-State, in its reply dated 18.03.2019 filed in CRM-M-29571-2018, to remit his remaining sentence, acknowledged the fact that the petitioner is suffering from Chronic Lumbo Sacral Spondylitis with loss of Lumbar Lordosis with Radiculopathy.

Now, as per the Medical Prescription dated 09.04.2019 (Annexure P-4), the petitioner was advised to go surgery of Spine and in such circumstances, prayer has been made for extension of parole for a period of four weeks.

Keeping in view the aforementioned facts and circumstances, the parole of six weeks as granted vide order dated 07.03.2019 passed by respondent No.2, Superintendent, Central Jail, Patiala, is ordered to be extended for another period of four weeks.

CWP stands disposed of.

18.04.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**