

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

234

**CWP No.29078 of 2019
Decided on : 07.10.2019**

Balwan

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Prateek Rathee, Advocate for the petitioner.

Mr.Vivek Saini, DAG, Haryana.

G.S. Sandhawalia, J. (Oral)

Petitioner, in the petition filed under Article 226 of the Constitution of India, seeks directions to extend the period of parole for 3 weeks, under Section 3(1)(a) of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

It is not disputed that vide order dated 13.09.2019 passed in CWP-23168-2019, on account of the fact that petitioner's mother was to be operated on 18.09.2019 for brain tumor at PGI Rohtak, 3 months' of emergency parole was granted.

In the reply filed by the respondents in Court today, it has been averred that the petitioner's surrender date is fixed for 08.10.2019. Respondents have taken the stand that the mother of the petitioner is to be operated now on 14.10.2019 and it is the case of the petitioner that the surgery could not be done earlier on the date fixed due to the condition of the patient, as such. It has also been mentioned that there are 2 other

brothers of the petitioner, namely, Krishan and Ramesh, available at home, to provide treatment to their mother and the petitioner is a habitual offender as he has 9 cases registered against him in District Jhajjar. Reference is also made to the Assembly Elections which are slated for 21.10.2019.

It is not disputed that the petitioner has undergone 11 years 10 months and 22 days of actual sentence and it is not been mentioned that on an earlier occasion, petitioner has misused his parole, though he had availed 9 weeks of the same, as per the details given in the reply. Keeping in view the above facts, this Court is of the opinion that the petitioner's parole is liable to be extended till 16.10.2019. He shall surrender at 5 pm on the said date at District Jail, Gurugram.

Petition stands disposed of.

Copy of the order be supplied to the counsel for the petitioner, under the signatures of Special Secretary of this Court.

October 7th, 2019
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No