

Sr. No.128

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

CRWP-1571-2019

Date of decision-09.12.2019

Satish Kumar

....Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. N.K.Ganga, Advocate for the petitioner.

Ms.Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner Satish Kumar (convict) has filed this writ petition under Article 226 of the Constitution of India for issuance of directions to the official respondents to release him on emergency parole for a period of one month to enable him to look after his mother as her spine surgery is scheduled for 10.12.2019. In support of the petition, reliance has been placed upon Annexure P-2, i.e. Medical Prescription issued by Delhi Spine Neuro Hospital.

On December 06, 2019, the learned State counsel was directed to find out the health status of mother of the petitioner.

In response thereto, today learned State counsel, on instructions from Warden Rohtash Singh, has apprised this Court that indeed the spine surgery of his mother is to be performed on 10.12.2019. However, she states that since the period of his confinement after conviction is less than a year, therefore, his prayer for grant of emergency parole could not be considered. During the course of hearing, it is also not disputed by learned State counsel that the petitioner is the only son of his ailing mother and there is no one else to look after her after the surgery.

Further, it is not disputed by learned State counsel that the provisions of Section 3

deal with Temporary Release of Prisoners on certain grounds which includes serious illness of the member of the prisoner's family or the prisoner himself. Since the illness of the mother of the petitioner is not disputed, therefore, this Court is of the opinion that the prayer deserves acceptance.

In view of the above, the petition is allowed and it is ordered that the petitioner be released on emergency parole for a period of one month from the date of receipt of certified copy of this order and he will surrender on 08.01.2020 on or before 4:00 P.M. before the jail authorities.

(MANOJ BAJAJ)
JUDGE

09.12.2019
Anjal

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No