

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

CRWP No. 2955 of 2021

DECIDED ON:16th December, 2021

Ramesh

.....PETITIONER

VERSUS

State of Haryana and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: None for the petitioner.

Mr. Surender Singh, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Article 226 of the Constitution of India is filed seeking directions to respondents to extend the parole of the petitioner for six weeks as he was found Covid-19 Positive.

As per pleadings, the petitioner was released on 18.4.2020 for six weeks' parole. Thereafter, the parole was extended from time to time. The petitioner was to surrender on 25.3.2021. The prayer in the petition was to extend the parole by six weeks.

On 25.3.2021, following order was passed:

"Petitioner, who is undergoing imprisonment in case FIR No.56 dated 26.03.1998 under Section 302 IPC registered at P.S Dhand, District Kaithal, has prayed for extension of parole for six weeks.

The petitioner was released on parole for a period of six weeks on 18.04.2020 as per the recommendations of the High Powered Committee of this Court in view of the Covid-19 Pandemic. His parole was subsequently extended from time to time. On expiry of the period of parole the petitioner is required to surrender today i.e., 25.03.2021.

Learned counsel for the petitioner submits that the petitioner has tested corona positive. He has placed on record report dated 16.03.2021 (P.1) of the Common Health Centre, Kaithal in this regard. It is in these circumstances that the petitioner has filed the present petition seeking extension of parole.

Notice of motion.

Sh. Tapan Kumar, DAG, Haryana accepts notice on behalf of respondent-State of Haryana.

Adjourned to 20.04.2021.

Considering that the petitioner has tested Corona Positive, he need not surrender till the next date of hearing i.e., 20.04.2021 and his parole be deemed extended till then."

Reply has been filed by the State. Paras 6 and 7 of the same are quoted below:

" 6. That on 21.04.2021, the petitioner convict has surrendered at this jail gate.

7. That on 19.05.2021, again the petitioner was released on special parole as per recommendations of the High Powered Committee with the direction to surrender at jail gate on 01.09.2021, F.N and at present petitioner is on special parole."

From the reply, it is forth coming that the petitioner surrendered on 21.4.2021 i.e. as per the order of this Court dated 25.3.2021. Thereafter he was released on special parole.

None had put in appearance on behalf of petitioner on 3.9.2021.

Even today none is present on behalf of petitioner.

In view of reply filed, no cause of action survives in pursuing the present petition.

The petition is disposed of as infructuous.

(AVNEESH JHINGAN)
JUDGE

16th December, 2021
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No