

CRWP-3630-2021

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

CRWP-3630-2021

Date of decision: 12.04.2021

Amit

...Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL
HON'BLE MR. JUSTICE KARAMJIT SINGH**

**Present:- Ms. Puja Chopra, Advocate,
for the petitioner.**

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Present criminal writ petition has been filed under Article 226/227 of the Constitution for issuance of a writ in the nature of mandamus directing the respondents to extend the furlough/parole of the petitioner, expiring on 14.04.2021, on medical grounds.

The petitioner was convicted and sentenced, vide judgment and order of sentence dated 10.01.2020, passed by the learned Additional Sessions Judge, Jhajjar, in case bearing FIR No.185 dated 21.10.2014, registered at Police Station Salhawas, under Sections 302, 307, 341, 506, 148 and 149 IPC and Section 25 of the Arms Act, 1959. Being aggrieved and dissatisfied with the same, the petitioner preferred an appeal bearing No.CRA-D-278-2020 before this Court, which is still pending adjudication.

Learned counsel for the petitioner contends that in view of the

CRWP-3630-2021

policy of the State Government, the petitioner was granted furlough for 21 days', which has been extended from time to time. He is now to surrender on 14.04.2021. It is also argued that he has been suffering from chronic Bronchial Asthma and tuberculosis and is undergoing treatment. The father of the petitioner also sent an e-mail dated 07.04.2021 (Annexure P-4) to respondent No.6-Superintendent of Prison, District Prison Jhajjar, for extension of furlough of the petitioner in view of his medical health, but respondent No.6, vide letter dated 09.04.2021 (Annexure P-5), intimated that it is not the competent authority to extend the parole/furlough of any convict.

Learned counsel further contends that the health of the petitioner is deteriorating day-by-day. Therefore, the case of the petitioner for extension of his furlough is liable to be considered under the guidelines dated 11.02.2021 and 26.03.2021 (Annexures P-7 and P-8, respectively) issued by the High Powered Committee.

Notice of motion.

On the asking of this Court, Mr. Ashok Singh Chaudhary, Addl. Advocate General, Haryana, accepts notice on behalf of the respondents-State and submits that the petitioner is not entitled to the relief as prayed for.

We have heard the learned counsel for the parties.

The letter dated 09.04.2021 (Annexure P-5) written by respondent No.6 would make it clear that there is a hospital with medical officer, medical staff and medical facilities in the jail for the treatment of the petitioner's disease and that there is also facility to refer the seriously ill prisoners to the higher medical institutes for further treatment. The petitioner

CRWP-3630-2021

has already availed the parole/furlough for a period of more than one year.

In view of the above, no ground for interference is made out.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

(KARAMJIT SINGH)
JUDGE

12.04.2021
parveen kumar

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No