

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

CRWP No. 7816 of 2020

DATE OF DECISION :- March 10, 2021

Ramesh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Varinder Singh Rana, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Petitioner Ramesh, aged about 52 years, son of Surat Singh, resident of Lowa Khurd, Police Station Sadar Bahadurgarh, District Jhajjar, confined in District Jail Jhajjar at the time of filing of the petition but as stated by learned counsel for the petitioner, presently lodged in District Jail Rohtak has brought the present criminal writ petition under Article 226 of the Constitution of India praying for grant of six weeks emergency parole for the reason that he is suffering from throat cancer, to enable him to get treatment from the private hospital.

The petitioner is undergoing sentence of life imprisonment in a murder case. Notice of the petition has been given to the State and State counsel on instructions from DSP Sewa Singh has conceded the fact that petitioner is suffering from throat cancer and he had been referred to PGI Rohtak by the jail doctor and that he is being regularly checked up at PGI Rohtak. He has placed on record his custody certificate showing that he has

undergone 10 years 1 month and 26 days of total sentence. He is also shown to be involved in another criminal case. In the custody certificate it is mentioned that petitioner has absconded from parole w.e.f. 1.5.1997 to 15.11.2017 and was relodged in jail on 16.11.2017. Now the question arises as to whether petitioner deserves the concession of parole on medical grounds.

After hearing learned counsel for the petitioner and learned State counsel besides going through the record, I find that since petitioner is suffering from dreaded disease of cancer, which is stated to be at advance stage and he is not satisfied with the treatment given to him at PGI Rohtak, he should be granted an opportunity to get medical treatment from private institute of his choice, of course at his own expenses. Therefore, the petition calls for acceptance, the same is allowed and petitioner is ordered to be released on emergency parole on medical grounds for a period of six weeks on his furnishing personal bonds and sureties to the satisfaction of District Magistrate, Rohtak, who may impose any other term and condition to ensure that petitioner does not abscond. The period of parole shall start running from the date the petitioner furnishes bonds and the same were accepted by the learned District Magistrate, Rohtak.

(H.S. MADAAN)
JUDGE

March 10, 2021

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No