

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-W-1503-2021 in/and
CRWP-11141-2021 (O&M)
Date of Decision:- 22.12.2021

Ashok Garg	Versus	... Petitioner
State of Haryana and others		... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Randeep S. Dhull, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

CRM-W-1503-2021

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 22.4.2022 and is taken on Board today itself.

CRWP-11141-2021 (O&M)

The petitioner seeks setting aside of order dated 13.8.2021, passed by Commissioner, Faridabad Division, District Faridabad (Annexure P-1) vide which his application for release on parole on grounds of 'house repair' has been declined.

Learned counsel for the petitioner has submitted that his wife has been diagnosed to be suffering from cancer and that in these circumstances he needs to attend to his wife and to arrange for requisite treatment, as there is no other mature male member in the family. It has also

been submitted that the petitioner as on date has already undergone about 12 years of actual sentence.

On the other hand, learned State counsel has submitted that the petitioner never made any prayer for emergency parole on the ground that his wife is suffering from cancer. It has also been submitted that infact the petitioner is dis-entitled for grant of emergency parole on account of the fact that he had previously overstayed parole in the year 2005.

I have considered the aforesaid submissions.

Having regard to the fact that the prayer for grant of emergency parole on the ground of ailments of petitioner's wife has not been considered so far, the instant petition is disposed of with liberty to the petitioner to move an appropriate application accompanied by all the relevant documents pertaining to ailment of petitioner's wife before the authorities concerned. In case, any such application is moved by the petitioner, the authorities concerned shall dispose of the same in accordance with law expeditiously preferable within a period of three weeks from filing of such application and the same shall be considered sympathetically in view of the alleged ailments of petitioner's wife and while also taking into account that the petitioner is stated to have undergone an actual sentence of 12 years.

The petition stands disposed of accordingly.

22.12.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No