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

CRWP-2107-2022

Date of decision : 10.03.2022

Lakhwinder Singh @ Lakha

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India read with the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 for the issuance of a writ in the nature of mandamus directing the respondents to extend the parole release of the petitioner which has been granted to him vide order dated 08.01.2022 (Annexure P-1) on the medical grounds.

Learned counsel for the petitioner has submitted that the petitioner had been granted parole vide order dated 08.01.2022 (Annexure P-1) passed by the Superintendent, Central Jail, Faridkot-respondent No.4 and that the petitioner was a drug addict and he used to consume

approximately 2 kg of poppy husk every month for continuously 5-6 years and due to the withdrawal symptoms, the petitioner was suffering from depression and on 05.03.2022, the petitioner was admitted in the Department of Psychiatry, Civil Hospital, Kot Kapura and had undergone treatment in the same. With respect to the same, learned counsel for the petitioner has relied upon two medical certificates (Annexures P-2 and P-3). Medical Certificate (Annexure P-3) has been issued by the Punjab Health System Corporation.

When this matter came up for hearing on 09.03.2022, learned State Counsel was directed to verify the said medical record.

Today, learned State Counsel, after verification, has submitted a Certificate issued by the Punjab Health System Corporation, which is taken on record as Mark 'A', on the basis of which, it is stated that the petitioner although was admitted on 05.03.2022 but on 07.03.2022, he was discharged and was advised regular medication at home.

This Court has heard the learned counsel for the parties and has perused the paper book.

The petitioner was granted parole vide order dated 08.01.2022 (Annexure P-1). Through the present Criminal Writ Petition, the petitioner is seeking extension of the said parole and during the course of arguments, learned counsel for the petitioner has submitted that the same be extended for four weeks. A perusal of the Medical Certificate (Annexure P-3) issued by the Punjab Health System Corporation would show that the petitioner was admitted on 05.03.2022 for the treatment of depression and was advised to take some medicines. There was a noting of the Doctor on the Medical

Certificate (Annexure P-3) that the petitioner is suffering from severe depression and there were remarks from the Doctor on the same also i.e. “High Risk Management-Do not leave patient alone”. Further, “Mind Relaxation Exercises” were also prescribed. From the Medical Certificate produced by the State Counsel, it is apparent that although, on 07.03.2022, the petitioner was discharged but he was advised regular medications at home.

Learned counsel for the petitioner has submitted that for few weeks, he would need a company of somebody from the house so that his health improves.

Keeping in view the abovesaid facts and circumstances as well as the medical records, the present Criminal Writ Petition is allowed and the parole which had been granted to the petitioner vide order dated 08.01.2022 (Annexure P-1) shall continue upto 08.04.2022 till 4 pm on previous bail bonds/surety bonds which have already been furnished by him before the District Magistrate, Faridkot/competent authority and the petitioner is directed to surrender on 08.04.2022 at 04:00 pm at the gate of Central Jail, Faridkot.

10.03.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**