

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

**CRWP No.3497 of 2023 (O&M)
Date of decision : April 13, 2023**

Sunil

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Prateek Rathee, Advocate for petitioner.

Mr. Sharan Sethi, Additional AG, Haryana.

HARINDER SINGH SIDHU, J.

Notice of motion.

On the asking of the Court, Mr.Sharan Sethi, Additional Advocate General, Haryana, present in Court, accepts notice on behalf of the respondent – State.

Sunil – petitioner has been convicted and sentenced to undergo life imprisonment vide judgment and order dated 30.11.2022/05.12.2022 passed by the Ld. Sessions Judge, Hisar in case FIR No.116 dated 04.02.2018 under Section 302 read with Section 34 IPC, Police Station City Hisar.

On 09.03.2023 at about 6.00 PM, Sonia Saini, wife of the petitioner, had sustained head injury after fall from bike at Hisar. She was

taken to Maharaja Agarsen Civil Hospital, Hisar, from where, she was referred to Advanced Care Centre, Khalsa Hospital, Hisar.

Considering her medical condition and the submission that the petitioner had solemnized marriage with Sonia Saini against the wishes of their family members and there was no one to take care of her, vide order dated 27.03.2023 passed in CRWP-2901-2023, he was granted Emergency Parole for a period of fifteen days, subject to his furnishing bond/surety to the satisfaction of the District Magistrate/Competent Authority.

Mr.Prateek Rathee, Ld. counsel for the petitioner states that the petitioner was released on Emergency Parole on 31.03.2023 for 15 days and he is to surrender on 16.04.2023 by 12 Hrs at the Jail Gate, Central Jail-1, Hisar. He further states that the wife of the petitioner was discharged from the hospital and the petitioner has been facilitating her treatment and recovery. However, she had multiple episodes of vomiting at home and she was taken for CT:Brain and report stated as follows:

“a) Depressed comminuted fracture noted in right temporo-parietal bone

b) A hyperdense lesion measuring approx. 7.3 mm is seen in right temporal lobe in sub-cortical region likely calcified Granuloma.”

Mr.Rathee refers to the report of CT:Brain (Plain) dated 10.04.2023 (Annexure P-5). He further refers to the Medical Certificate dated 11.04.2023 (Annexure P-6) issued by the Amandeep Hospital, Tosham Road, Hisar, which states that *“present NCCT Head (10/04/23) depressed comminuted fracture noted in right temporo parietal bone. A*

Hyperdense lesion measuring approx 7.3 mm is seen right temporal lobe in subcortical region likely calcified granuloma.”.

Mr.Rathee states that since the marriage of the petitioner and his wife was solemnized against the wishes of his parents and in-laws, therefore, there being no support for her wife, the Emergency Parole period of the petitioner be extended by two weeks, to enable him to take care of his wife.

Considering the facts and circumstances of the case, particularly the fact that in latest NCCT Head dated 10.04.2023(Annexures P-5 and P-6), depressed comminuted fracture is noted in right temporo parietal bone of the wife of the petitioner, the ends of justice require that parole period of the petitioner be extended to support his suffering wife, who is stated to have no other social or family support.

Accordingly, the petition is allowed. The concerned Competent Authority is directed to extend the Parole of the petitioner by Two Weeks, subject to the conditions, to its satisfaction. The petitioner shall surrender before the Jail authorities on the expiry of the parole period.

(HARPREET SINGH BRAR)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

April 13, 2023

gian

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No