

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

117

CRWP-4423-2023

Date of Decision: 01.06.2023

Resham Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE B.S.WALIA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: ----
Mr. Kartik Gupta, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, Deputy Advocate General, Punjab.

B.S.Walia, J. (Oral)

Prayer in the petition under Articles 226/227 of the Constitution of India is for the issuance of a direction to the respondents to grant three weeks emergency parole to the petitioner under Section 3 (1) of the Punjab Good Conduct Prisoner (Temporary Release) Act, 1962, on account of urgent requirement of implantation of stent in the mother of the petitioner on account of her suffering from heart disease and high blood pressure.

2. Pursuant to receipt of the status report and hearing counsel for the parties, we had directed the Civil Surgeon, Tarn Taran, to constitute a Medical Board on 29.05.2023 to assess the medical condition of petitioner's mother namely Smt. Mohinder Kaur wife of Shri Amrik Singh, resident of Dilawalpur Phulke, District Tarn Taran, as to whether she required implantation of stent.

3. Today, learned Deputy Advocate General, Punjab, has produced copy of communication from the Civil Surgeon, Tarn Taran, indicating therein that the ECG of the petitioner's mother was normal but that she has been referred to Guru Nanak Dev Medical College and Hospital, Amritsar, for opinion after medical tests. Aforesaid communication is taken on record.

4. Learned Deputy Advocate General, Punjab, states that the medical tests would be conducted and opinion on her condition as well as requirement for implantation of stent given the same day the petitioner's mother reports for medical examination at Guru Nanak Dev Medical College and Hospital, Amritsar.

5. Learned counsel for the petitioner states that the petitioner's mother would report in the Cardiology Department at Guru Nanak Dev Medical College and Hospital, Amritsar, at 11 a.m. on 02.06.2023.

6. Learned Deputy Advocate General, Punjab assures that in the eventuality of the petitioner's mother reporting at Guru Nanak Dev Medical College and Hospital, Amritsar, on 02.06.2023 at 11 a.m., her medical tests would be conducted and report forwarded to the competent authority on the same day and the competent authority would take a decision qua the plea of the petitioner within two days thereafter and communicate the same to the Jail Superintendent, Tarn Taran, for supplying to the petitioner.

7. In view of the position noted above as well as statement of learned counsel for the parties, we dispose of the instant petition by directing the petitioner's mother to report at the Cardiology Department Guru Nanak Dev Medical College and Hospital, Amritsar, on 02.06.2023 at 11 a.m. for her medical tests in terms of the undertaking made by learned counsel for

the petitioner. On the petitioner's mother so reporting before the Head of the Department of Cardiology/and in case of absence of Head of the Department of Cardiology, to the next person in-charge, she would be got examined/ subjected to such medical tests as deemed necessary and report alongwith opinion forwarded to the District Magistrate, Tarn Taran, as to whether due to her medical condition she requires implantation of stent. The District Magistrate, Tarn Taran, on receipt of the medical report and opinion would get the same processed in accordance with law and orders on the plea of the petitioner passed and communicated to the petitioner through the Jail Superintendent, Tarn Taran, within two days thereafter.

8. Petition disposed of with the aforementioned directions.

9. Copy of this order be given to the learned counsel for the parties under the signatures of the Bench Secretary.

(B.S.WALIA)
JUDGE

01.06.2023

Varinder Prashad

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No