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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRWP-9557-2023****Date of decision : 06.12.2023****Robindeep Singh @ Robin****....Petitioner****Versus****State of Punjab and anr.****.....Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL***********Present :** Mr. Rajdeep Singh Gill, Advocate
for the petitioner.

Mr. Anup Singh, AAG Punjab.

*********SUVIR SEHGAL, J. (ORAL)**

1. This is a second criminal writ petition under Article 226 of Constitution of India read with the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 for issuance of a direction to the respondents authorities to release the petitioner on emergency parole for eight weeks.

2. Learned counsel for the petitioner submits that the petitioner has been convicted and imposed sentence of 10 years in case FIR No.28 dated 14.03.2018 lodged for offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Longowal, District Sangrur. He submits that the first appeal filed by the petitioner is pending before this Court and by order dated 18.07.2023 (Annexure P-1) was released on parole for a period of 56 days.

3. Learned counsel for the petitioner further submits that the petitioner is a drug addict and during parole period, he was hospitalized. He

submits that the petitioner had a fall from the stairs and suffered a hip fracture. The petitioner was taken to CMC Hospital, Ludhiana and was advised hip replacement. Learned counsel for the petitioner submits that the petitioner had filed a writ petition, before this Court for extension of parole but before the petition could be listed, the parole period expired and the petitioner surrendered before the Prison Authorities on 13.09.2023 and the first petition was withdrawn on 14.09.2023 (Annexure P-4) as it had become infructuous.

4. While issuing notice, this Court directed the respondents to file a report after medically examining the petitioner. A response has been filed on behalf of the respondents appending therein Medical Certificate dated 02.10.2023 (Annexure R-2) relevant extract of which is as under:-

“It is to be informed that the UT/CT Robin Singh is old case of TB Hip joint was diagnosed for same at GMCH-32-Chandigarh on 22.09.2021 treatment given for same. Patient is also already taking de-addiction and psychiatry Medication from OOAT Centre Distt: Jail Sangrur.

Now Patients is having Avascular Neurosis Past TB R-Hip-Joint as opinion given by Ortho Surgeon at Civil Hospital, Sangrur and was advised to get operate for total hip replacement.”

5. Perusal of the medical opinion reproduced above makes it evident that the petitioner is in need of hip replacement. This Court is therefore of the view that the prayer made in the petition deserves to be accepted.

6. Accordingly, the petition is allowed. Petitioner is ordered to be

released on parole for the period of eight weeks subject to fulfilment of the necessary conditions.

06.12.2023
spn

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No