

2023:PHHC:148343-DB

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

**Crl.W.P. No.11134 of 2023
Date of Decision: 21.11.2023**

Shinder Singh @ Peter

.....Petitioner

Versus

State of Punjab and others

.....Respondents

***CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE SUMEET GOEL***

Present:- Mr. Baljeet Singh Kathuria, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Addl.A.G., Punjab.

SUMEET GOEL, J.

Prayer in the petition is for extension of parole earlier granted to the petitioner, vide order dated 27.09.2023, in FIR No.08 dated 14.02.2011 registered under Section 15 of the NDPS Act, 1985, at Police Station Sadar Budhlada, District Mansa.

Learned counsel for the petitioner has argued that the petitioner was convicted by learned Sessions Court, vide judgement dated 21.07.2014 in the above-mentioned FIR. The petitioner is suffering from various diseases and does not have a good medical condition as he has severe swelling in right inguinal region and is also facing acute difficulty in breathing. The petitioner was accordingly released on parole by the Jail authorities for eight weeks vide order dated 27.09.2023 (a copy whereof

has been appended with the petition as Annexure P-1). He has further argued that the petitioner was admitted in PIMS (Punjab Institute of Medical Sciences) on 17.10.2023 wherein he was diagnosed with Pericardial Effusion and Pleural Effusion. The petitioner is taking regular treatment from the said hospital and is required to undergo further medical treatment.

Status report by way of affidavit of Sh. Manjeet Singh, PPS, Deputy Superintendent of Police, Sub-Division, Budhlada, District Mansa, dated 20.11.2023 has been filed by the State of Punjab and the same is taken on record. Learned State counsel has raised submissions in tandem with this status report.

We have heard learned counsel for rival parties and have perused the paper book with their kind assistance.

The petitioner had been earlier granted parole vide order dated 27.09.2023 for eight weeks by the Additional Superintendent Central Jail, Hoshiarpur, exercising powers conferred under Sections 3 and 4 of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962.

As per the Medical report (Annexure R-1) appended with the status report filed by the State of Punjab, the concerned doctor posted at ICU, Department of Anesthesia, Punjab Institute of Medical Sciences, Hospital and Medical College, Garha Road, Jalandhar, has opined that: “Patient Shinder Singh, UHID-PIMS0917243, R/O Village Bute Diyass, Channa, PO Kot Badal Khan, Tehsil Phillaur, Jalandhar, is admitted to PIMS ICU with Generalised edema and liver disease. He will require

admission for few days. Admission date 17.11.2023. Diagnosis Afz/Liver Disease/thrombocytopenia”

In view of the above-said report submitted by the concerned doctor posted at ICU Department of Anesthesia, Punjab Institute of Medical Sciences, Hospital and Medical College, Garha Road, Jalandhar, the petitioner is admitted to PIMS, ICU with Generalised edema and liver disease and requires admission for few days. It is also the stand of the State of Punjab that it is decipherable from the medical status report that the petitioner is under treatment with PIMS, Jalandhar and he requires admission for few more days. Further, the State of Punjab has not expressed any tangible apprehension of the petitioner fleeing from the process of law or misusing the concession of parole.

In view of the above, the present petition is allowed; parole already granted to the petitioner vide order dated 20.07.2023 is extended uptill 18.01.2024 on the same terms and conditions as stipulated in the above-said order granting parole. The petitioner is directed to report back to the Superintendent, Central Jail, Hoshiarpur, on 18.01.2024 at 4:00 p.m. In case the petitioner fails to report back as ordered above, the State of Punjab will be at liberty to proceed further in accordance with law.

(SUMEET GOEL)
JUDGE

(SUDHIR SINGH)
JUDGE

November 21, 2023
poonam

Whether speaking/reasoned:
Whether Reportable:

Yes
No