

2023:PHHC:161066-DB

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

212

CRWP-11858-2023

Date of Decision: 15.12.2023

Pankaj

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Ishan Sharma, Advocate for the petitioner.
Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL , J.(Oral)

The petition has been filed for grant of parole for two months to the petitioner on the ground of pregnancy of his wife.

2. Learned counsel for the petitioner submits that the petitioner had earlier been granted parole for two months as his wife was at an advanced stage of pregnancy. He had surrendered on 16.11.2023 but the due date of delivery is 24.12.2023. He further submits that the prayer in this petition has erroneously been mentioned as extension of parole but it may be treated as a petition for emergency parole. He also submits that the petitioner, who had been convicted for the commission of an offense punishable under Sections 302, 367, 34 IPC and sentenced to undergo rigorous imprisonment for life, has undergone an actual sentence of 04 years, 04 months & 20 days. The petitioner was involved in another case but he has been acquitted in that case. He besides his wife, has 11 years old daughter and it would be difficult for them to look after the new born child.

3. Learned State Counsel has filed status report by way of an

affidavit of Bhupinder Singh, Dy. Superintendent, District Jail, Yamuna

Nagar wherein it is stated that it has been verified that there are two members in petitioner's family including his wife and eleven years old daughter. They are staying separately from the parents of the petitioner. There is nobody to look after the wife of the petitioner. It has also been verified that the wife of the petitioner has been admitted in Deswal Hospital, Opp. Gupta Petrol Pump, Near Dimple Cinema, Yamuna Nagar Road, at Jagadhari and her expected date of delivery is 24.12.2023.

4. The petitioner has undergone an actual sentence of 04 years, 04 months and 20 days. He is stated to have been granted parole on earlier occasion and he did not misuse the concession of parole and had surrendered on time. The petitioner's wife is at an advance stage of pregnancy and besides her and her 11 years old daughter there is no one to look after the new born child.

5. In view of the above, it would be in interest of justice, if the petition is allowed. The respondents are directed to release the petitioner on emergency parole for a period of four weeks on his furnishing bonds to the satisfaction of the concerned authority. On the expiry of period of parole of four weeks, the petitioner is directed to surrender before the concerned jail authorities.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

15.12.2023
anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No