

2023:PHHC:164585

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

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CRWP-12310-2023

Date of Decision : **December 21, 2023**

SANDEEP KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Harsh Rana, Advocate for
Mr. Prateek Rathee, Advocate for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. This Court vide order dated 14.12.2023 passed in CRWP-11988-2023 directed the jail authority concerned to decide the application for extension of parole by passing a speaking order.
2. The learned authority concerned instead of passing a speaking order and without considering the difficulty of the petitioner, declined the application for extension of parole only by referring Section 11(5) of the Haryana Good Conduct Prisoner's (Temporary Release) Act, 2022.
3. Be that as it may, the petitioner is already on parole and by filing the instant petition, he seeks extension of parole for four weeks because of the medical condition of his father, who requires immediate surgery.
4. Keeping in view the fact that the authority concerned has not considered and without making any observation with regard to the medical condition of his father and the genuine need of the present

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petitioner, no other option is left with this Court but to set-aside the impugned order dated 18.12.2023 (Annexure P-6) and extend the parole for another four weeks from today subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate with an undertaking that immediately on expiry of the aforesaid period of four weeks, he shall re-step into the prison concerned on 21.01.2024 at 10.00 a.m.

5. If the above condition is breached and the petitioner does not re-step into the prison concerned, immediately on the expiry of four weeks, thereupon, liberty is reserved to the jurisdictional SHO concerned, to forthwith arrest the petitioner and to thereafter produce the petitioner before the jurisdictional Magistrate concerned, for the latter making an order for the petitioner becoming committed to the jail concerned.

Disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

December 21, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No