

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

253

CRWP-447-2024
Date of Decision: 23.01.2024

Sukhbir Singh @ Soni ... Petitioner

Versus

State of Punjab and others ... Respondents

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

Present: Mr. Sandeep Verma, Advocate for the petitioner.
Mr. H.S. Sullar, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL , J.(Oral)

The petitioner is seeking his release on emergency parole for a period of 15 days as his father is suffering from a heart ailment.

2. Learned counsel for the petitioner submits that the petitioner has been convicted in FIR No.335 dated 18.11.2017 for the commission of an offence punishable under Section 21 of the NDPS Act and sentenced to undergo rigorous imprisonment for 20 years. He also submits that the petitioner has undergone an actual sentence of 06 years. The father of the petitioner is suffering from a heart ailment. He has referred to a copy of the medical report at Annexure P-2. He further submits that the petitioner had been released on parole to attend the marriage of his sister-in-law and did not misuse the concession.

3. Learned State counsel has filed an affidavit of Deputy Superintendent of Police, Sub Division Khadoor Sahib, Camp at Goindwal Sahib, Tarn Taran, District Tarn Taran, wherein report with regard to the condition of the health of the petitioner's father had been

The copy of the report is at Annexure R-1. The report reads as under :-

“Patient name – Nirvail Singh son of Mohinder Singh, 72/M admitted on 19.01.2024 at 12:00 PM with CR No. 80062 under medial -4. Patient Nirvail Singh waking diagnosis is chronic Alcoholic with oral drug abuses. New onset Hyper Tension (HTN), Coronary artery disease (CAD), post Coronary Artery Bypass Grafting (CABG)-in 2012, Stable Angine.”

4. The petitioner has been convicted and sentenced under the NDPS Act and sentenced to undergo imprisonment for a period of 20 years. He has undergone actual sentence of six years. The father of the petitioner is suffering from a heart ailment. The medical certificate dated 04.01.2024 from the Government Medical College and Hospital, Circular Road Amritsar, Amritsar, Punjab, which has been attached as Annexure P-2 indicates that his father had been admitted in the hospital for stunt/ Bypass surgery. It would be in the interest of justice if the petitioner is granted parole for a period of 15 days.

5. Consequently, the petition is allowed and the petitioner is granted emergency parole for a period of 15 days starting from 25.01.2024 subject to his furnishing requisite surety bonds to the satisfaction of the competent authority. On the expiry of period of parole of 15 days, the petitioner shall surrender before the jail authorities by 5:00 PM.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

23.01.2024
Satyawar

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No