

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

137

CRWP-3657-2024

Date of decision: 24.04.2024

AJAY KUMAR

....Petitioner

Versus**STATE OF HARYANA AND OTHERS**

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Edward Masih, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition under Article 226/227 of the Constitution of India, read with Sections 3 and 5 of the Haryana Good Conduct Prisoners (Temporary Release), Act 2002, issuing writ in the nature of mandamus for directing the respondents/State, to extend the time period of temporary release on parole of the petitioner namely Ajay Kumar, son of late Ram Kishan, for another eight weeks, in view of his critical medical condition.

2. Learned counsel for the petitioner submits that petitioner was released on parole on 16.02.2024, and the petitioner was required to re-step into the prison on 26.04.2024. Learned counsel for the petitioner further submits that during the parole period of the petitioner, he got sick, and thereupon, the petitioner was admitted in a hospital, to substantiate this fact, he has placed on record various documents, issued by the hospital, reflecting that the petitioner is in fact hospitalized, and was admitted in ICU. Learned counsel for the petitioner further

draws attention of this Court, to the application, which is being moved by the mother of the petitioner, to the Superintendent of Police i.e. respondent No.4, for extension of parole period. Learned counsel for the petitioner further submits that no decision has been taken on the said application.

3. This Court has examined the submissions as made by learned counsel for the petitioner, and finds it an apt case for issuing mandamus upon respondents No.3 and 4, to take final decision on Annexure P-1, within a week from today. Since the petitioner is unable to re-step into the prison, because of his medical condition, therefore, till the final decision is not taken on the representation of the petitioner, by the authorities concerned, the petitioner may stay on the parole, in case the application so preferred by the petitioner, does not found a favour and rejected by the authorities concerned, the petitioner shall surrender before the authorities concerned, within 03 days thereafter.

5. The instant petition is **disposed** of accordingly.

6. A copy of this order be handed over to the learned State counsel for its compliance.

24.04.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No