

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.205

CRWP-3713-2024 (O&M)
Date of decision : 26.04.2024

Sunil Kumar

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

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

Present: Mr. Deepak, Advocate, for the petitioner.

Mr. Rahul Dev Singh, Addl. AG, Haryana.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner has challenged the order dated 11.04.2024 (Annexure P3) passed by the competent authority dismissing his application for release on emergency parole. The application of the petitioner has been dismissed primarily on the ground that he has not completed one year after conviction and the model code of conduct does not permit the release of the prisoners.

2. Learned counsel for the petitioner submits that the mother of the petitioner, who is 82 years old, is suffering from heart ailment and has been admitted to a hospital. He has referred to the medical certificates at Annexure P1 & P4. The father and brother of the petitioner have expired and there is no one else to take care of his mother.

3. Learned State counsel on instructions from the Superintendent Jail, Bhiwani submits that the mother of the petitioner had been taken to hospital and is still admitted in the hospital. She was having breathing

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issues and is under observation on oxygen support. He further submits that medication would start after cardiac consultation.

4. Heard.
5. The petitioner has been convicted in FIR No.814 dated 12.12.2011 under Sections 302, 452, 485, 148, 149, 120-B IPC and Section 25 of the Arms Act registered at Police Station City Hansi, District Hisar and undergoing life imprisonment. He is not involved in any other criminal case. His mother is unwell and had been admitted in hospital earlier. It would be in the interest of justice if the petitioner would be granted 15 days emergency parole to look after his ill mother.
6. Consequently, the petition is allowed and impugned order 11.04.2024 (Annexure P3) is set aside. The petitioner would be released on emergency parole for a period of 15 days subject to his furnishing necessary surety bonds to the satisfaction of the competent authority and on expiry of emergency parole, he shall surrender to the concerned jail by 5:00 p.m.

Pending miscellaneous application(s), if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

26.04.2024
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No