

2024:PHHC:068343

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

**CRWP-4415-2024
Date of Decision : 15.05.2024**

SURESH ALIAS TANGU

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Suman Saharan, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. The order dated 10.05.2024 (Annexure P-4), whereby the application for extension of parole dated 10.05.2024 (Annexure P-3), has been declined by the Superintendent of Jail, District Prisons, Yamuna Nagar, which propelled the present petitioner to file the instant petition for seeking extension of parole period, as well as quashing of the aforesaid impugned order.

2. Learned counsel for the petitioner submits that the petitioner was granted 70 days parole, w.e.f. 05.03.2024 to 15.05.2024, and during the said period of parole, on dated 04.05.2024, the petitioner started feeling unwell and thereupon, he was shifted to ICU.

3. She further submits that the petitioner is suffering from acute jaundice, therefore, he is unable to re-step into prison after completion of parole today, i.e. 15.05.2024.

4. Notice of motion.

5. Mr. Bhupender Singh, DAG, Haryana, accepts notice on behalf of respondent-State, and vociferously opposes the grant of relief (*supra*) to the present petitioner.

6. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

7. On perusal of the order (*supra*), it reflects that it is totally a non-speaking order, as no reason whatsoever, was assigned for declining the request for extension of parole, specifically considering the medical condition of the present petitioner.

8. The reasons are the soul of any order, which is in fact absent in the impugned order. Therefore, the competent authority was required to consider the medical report/condition of the present petitioner, and thereupon, to record the reason for denial of such relief to him. However, in the impugned order, no such exercise has been conducted, therefore, the impugned order is required to be interfered with, and the same is ordered to be set aside, and the prole of the present petitioner is extended for further two weeks dated 15.05.2024.

9. The petitioner is ordered to re-step in the prison on dated 29.05.2024, by 5:00 p.m.

10. In case, petitioner fails to step back into the prison on the aforesaid date, the SHO concerned, shall arrest him and thereupon, send him to the concerned jail.

11. Disposed of accordingly.

May 15, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE