

2024.PHHC:156080



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

**CRWP-7250-2024
DECIDED ON: 30.07.2024**

DALIP KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Saurav Gumbal, Advocate for
 Mr. Anoop Singh Sheoran, Advocate
 for the petitioner.

SANDEEP MOUDGIL, J

1. The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India read with Section 3(1) C of the Haryana Good Conduct Prisoners Temporary Release Act, 1988 seeking issuance of a writ in the nature of *Mandamus* directing the respondents for extension of parole to the petitioner for one month on account of medical treatment, as he got fracture in his foot.

2. Learned counsel for the petitioner submits that the petitioner was convicted and sentenced to undergo imprisonment for life under Section 302 IPC vide judgment of conviction and order of sentence dated 21.04.2010 passed by learned Additional Sessions Judge, Fast Track Court, Gurgaon. Thereafter, he filed an appeal bearing No. CRA-D-558-DB-2010 against the said judgment, which was admitted by this Court vide order dated 09.10.2015.

3. Concededly, the petitioner was released on emergency medical parole for the treatment of his fractured foot vide order dated 26.06.2024 and he was to

surrender back with the Jail Authorities on or before 01.08.2024. Thereafter, the petitioner has moved another application dated Nil, (Annexure P-2) before the Jail Superintendent, District Jail, Gurugram seeking extension of emergency parole by another four weeks. As per the averments of the petitioner, the said application has not yet been decided by the competent authority.

4. Heard.
5. On perusal of the record, it is evident that the petitioner has failed to make out a case for extension of parole, as there is nothing on record to suggest that the petitioner requires medical check up or follow-ups after the last check up held on 17.07.2024.
6. In the light of above, this Court is not inclined to extend the parole already granted to the petitioner vide order dated 26.06.2024 and is medical condition seems to be stable and regular medical-check up is being provided to him at the Jail Hospital.
7. Hence, the present petition stands dismissed being devoid of any merits.

30.07.2024
Sham

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No