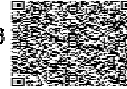


2024:PHHC:131667-DB



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

CRWP-9458-2024

Date of Order: 03.10.2024

Ajay @ Neelima

....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. K.S. Dhaliwal, Advocate,
Mr. Vicky Sharma, Advocate,
and Mr. Parveen Malik, Advocate,
for the petitioner.

Mr. Ashok Chaudhary, Addl. A.G., Haryana.

SUDHIR SINGH,J. (ORAL)

By way of the present Criminal Writ Petition, the petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to release him on parole for a period of 08 weeks, enabling him to look after his pregnant wife till the delivery of the child.

2. Vide order dated 27.09.2024, notice of motion was issued in this case.

3. The petitioner is a convict and is undergoing rigorous imprisonment for 10 years in FIR No.96 dated 02.03.2021, under Sections 307 IPC and Section 27 of Arms Act, 1959, registered at Police Station, Sadar Jind, District

Jind. Presently, the petitioner is confined in District Jail, Jind.

4. It is the case of the petitioner that his wife namely, Shalu, is pregnant and as per the medical record, the delivery is expected on 16.10.2024. It is further stated in the petition that parents of the petitioner are aged about 71 and 73 years respectively and they are unable to look after his (petitioner's) pregnant wife. Except them, there is no other person, who can take care of his wife. In view of the said emergency, the petitioner seeks his release on parole for a period of eight weeks, so that he can look after his pregnant wife. The petitioner has enclosed medical history of his wife along with the present writ petition (Annexure P-1).

5. Today, on resumed hearing, an affidavit dated 01.10.2024 of Superintendent Jail, District Jail, Jind, has been tendered in course of hearing by learned State counsel, which is taken on record. A copy thereof has been supplied to counsel opposite. In para no.6 of the said affidavit, it has been stated that wife of the petitioner is eight months' pregnant and the delivery is expected on or around 17.10.2024 at Vardhaan Hospital near Oxford School, Rohtak-Bypass, Jind.

6. In view of the above, we dispose of the present petition and grant four weeks' parole to the petitioner

commencing from the date of release, subject to his furnishing fresh bonds to the satisfaction of the competent authority/Chief Judicial Magistrate/Duty Magistrate concerned. The period of four weeks shall be counted from the date of his release. The releasing Court/Duty Magistrate shall also notify the dates of release and surrender of the petitioner. The petitioner shall surrender before the jail authorities on the date and time to be notified by the releasing Court/Duty Magistrate. After surrender, the petitioner shall furnish a surrender certificate.

7. All the pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

03.10.2024
Vinay/Ajay Prasher

-	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
-	<i>Whether reportable:</i>	<i>Yes/No</i>