

CRWP-10975-2024

2024.PHHC.149856



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

CRWP-10975-2024

Date of decision: 14.11.2024

Ashwani Kumar

....Petitioner.

Versus

State of Haryana and others

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Randeep S.Dhull, Advocate,
for the petitioner.

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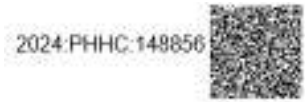
SANJIV BERRY, J. (ORAL)

Instant petition has been preferred under Articles 226/227 of the Constitution of India with Section 5 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022, seeking quashing of the impugned order dated 05.11.2024 (Annexure P-1), passed by the Deputy Superintendent of Jail, District Jail, Karnal.

2. A perusal of the impugned order dated 05.11.2024 (*supra*) would reveal that respondent No. 4 has declined the request of the petitioner mainly on the ground that application moved by the petitioner does not find any support of the medical record regarding the serious illness.

3. Learned counsel for the petitioner submits that the petitioner is in possession of the medical record which he can produce

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before the Jail Superintendent-respondent No. 4 for making out a case in his favour.

4. Accordingly, learned counsel for the petitioner has sought withdrawal of the instant petition with liberty to move an application afresh to respondent No. 4 duly supported with the medical record available with the petitioner or his family.

5. In view of the aforesaid statement, instant petition is dismissed as withdrawn with the liberty to move an application afresh before the Superintendent of Jail, District Jail, Karnal-respondent No. 4 along with the medical record. It is further directed that if such an application is moved before respondent No. 4 by the petitioner the same shall be disposed of in accordance with the law in an expeditious manner preferably within a period of 02 weeks from the date of receipt of the application.

6. The decision so taken be conveyed to the petitioner as well.

7. Disposed of with the aforesaid liberty.

(SANJIV BERRY)
JUDGE

14.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |