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

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Date of Decision:- 05.12.2024

Karanpreet Singh

....Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Manvinder Sidhu, Advocate
for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner Karanpreet Singh has filed petition under Articles 226/227 of the Constitution of India with a prayer for releasing him on parole for 08 weeks under Section 3(1) (d) of Punjab Good Conduct Prisoners (Temporary Release) Act 1962 for getting done spine operation of his mother.

2. It is pointed out that present petitioner was convicted to undergo imprisonment for 07 years in FIR No.15 dated 30.01.2021, under Sections 120-B, 148, 307, 323, 149, 326, 326/149 of IPC, registered at Police Station Basti Baba Khel, District Jalandhar vide judgment dated 16.11.2023 passed by learned Additional Sessions Judge, Jalandhar. CRA-S-3791-2023 is pending for arguments on 20.01.2025. Mother of the petitioner is 60 years old who suffered serious injury on spine as



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incidentally she slipped on the floor. Medical reports of his mother are Annexures P-1 and P-2. Surgery is scheduled for 29.11.2024. Her father is HIV positive and he does not keep good health. There is nobody to look after his mother. Application for parole is recommended by the Councilor. Copy of letter dated 11.11.2024 is Annexure P-3. Father of the petitioner had sent a representation dated 20.11.2024 (Annexure P-4) to the Jail Authorities for grant of emergency parole. He remained peaceful during his stay in the jail. He will abide by the terms and conditions imposed upon him. Hence, the petition may be allowed.

3. Status report is filed. As per custody certificate (Annexure R-1), petitioner has undergone custody for 02 years 09 months and 11 days. Apart from this, he is involved in several other cases and also convicted in other cases. It is pointed out that parole case of petitioner was forwarded to District Magistrate, as per office letter No.3066 dated 11.06.2024 who is the competent authority to approve or reject the parole case. It was pointed out that petitioner did not give any representation for emergency parole regarding illness of his mother nor produced any medical record.

4. Today, learned counsel representing State has placed on record one downloaded copy of order dated 27.11.2024 passed by Deputy Commissioner, Jalandhar rejecting emergency parole for 08 weeks to the present petitioner.

5. I have considered the aforesaid factual position. Perusal of entire status report indicates that there was no effort on the part of investigating agency to give detail of family members of the lady i.e.

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mother of the petitioner, available to look after her. Medical condition as well as the date fixed for surgery is not confirmed from the concerned hospital/doctor. It cannot be ignored that request for emergency parole is declined by Deputy Commissioner, Jalandhar subsequently vide order dated 27.11.2024 after a period of five months.

In the light of this, it is not possible to give any specific direction for the release of present petitioner on emergency parole. Competent authority is directed to reconsider request for emergency parole taking into account the medical record and other factors within one week from the receipt of this order.

- 6. Petition is accordingly disposed of.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

05.12.2024
Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No