

2024:PHHC:156926-DB



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

CRWP-11404-2024

Date of order: 26.11.2024

Surjeet

....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. R.S. Dhull, Advocate,
for Mr. Sanjeev Majra, 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 respondent No.4-Superintendent, Central Jail-1, District Hisar, to decide his representation dated 20.11.2024 (Annexure P-1) seeking extension of parole for a period of six weeks, on the ground of medical emergency, as his wife and newly born daughter are admitted in the hospital.

2. The petitioner is a convict and is undergoing life imprisonment in FIR No.686 dated 16.07.2018, under Sections 147, 148, 149, 302 IPC and Section 25 of the Arms

Act, registered at Police Station, Sadar Hisar, District Hisar.

Presently, the petitioner is confined in Central Jail-1, Hisar.

3. It is the case of the petitioner that initially, he was granted a regular parole for a period of 70 days, which was initiated on 16.05.2024 and the petitioner was required to surrender on 25.07.2024. However, due to the medical emergency of his wife, the petitioner filed a writ petition i.e. CRWP-6945-2024 before this Court seeking extension of his parole for a period of six weeks. Vide order dated 24.07.2024, the parole, already granted to the petitioner by the jail authorities, was extended for another six weeks. The said period came to an end on 05.09.2024. Further, due to complications in pregnancy of his wife, the petitioner filed another petition i.e. CRWP-8470-2024 before this Court seeking further extension of his parole for a period of four weeks. Vide order dated 05.09.2024, the parole period of the petitioner was extended for another four weeks. The said period was going to expire on 03.10.2024. Still further, due to the medical condition of his pregnant wife, the petitioner moved another petition i.e. CRWP-9500-2024 and vide order dated 01.10.2024 (Annexure P-3), the parole already granted to the petitioner was extended for another eight weeks commencing from 03.10.2024, as a last indulgence and he is required to surrender on 28.11.2024. It is further submitted that the family of petitioner consists

of five members i.e. the petitioner himself, his wife, his mother (aged 65 years) and two daughters. The mother of the petitioner is not mentally stable and she is getting treatment for her mental illness. There is no one, except the petitioner, to look after his newly born daughter, who is 15 days old and suffering from Sepsis and dehydration. She is presently admitted in the hospital. Therefore, in view of the said emergency, the petitioner requires further parole for a period of six weeks.

4. On the other hand, learned State counsel has opposed the prayer for extension of parole to the petitioner.

5. In the instant case, initially, the petitioner was granted regular parole for a period of 70 days. Thereafter, the parole of the petitioner was extended from time to time on medical grounds. Lastly, the parole of the petitioner was extended for a period of 08 weeks vide order dated 01.10.2024 passed by this Court in CRWP-9500-2024 and the same was to be treated as a last indulgence. While passing the said order, it was specifically mentioned therein that no further parole/extension would be granted. Despite passing of the said order, the petitioner is again seeking extension of parole on medical grounds.

6. In view of the above, we find no ground to further extend the parole, already granted to the petitioner vide order dated 01.10.2024. Accordingly, the present petition is

dismissed and the petitioner is directed to surrender before the jail authorities on 28.11.2024, i.e. the date when his parole period will come to an end.

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

(SUDHIR SINGH)
JUDGE

(ANIL KSHETARPAL)
JUDGE

26.11.2024
Ajay Prasher

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