

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

113

CRWP-3297-2025 (O&M)
Date of decision: 08.04.2025

Amandeep Singh**...Petitioner**

Versus

State of Haryana and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Krishan Singh, Advocate
for the petitioner.

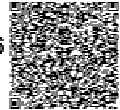
Mr. Vipul Sherwal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Article 226 of the Constitution of India read with Section 3 and 5 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 2022 (*for short 'the Act, 2022'*), the petitioner is praying for extension of parole, granted to him, by four weeks in case arising out of FIR No. 09 dated 24.01.2011, registered under Section 17 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 411, 420, 467, 468 and 471 of IPC at Police Station Odhan, District Sirsa.

2. Learned counsel for the petitioner has submitted that he has been convicted in the aforesaid case and is undergoing imprisonment for a period of ten years in Central Jail-I, Hisar. On an application moved by the petitioner, he has been granted parole for a period of six weeks and he was released from jail on 24.02.2025 and is to surrender on 08.04.2025 i.e. today itself. The petitioner is seeking extension of his parole period by four weeks on the ground that his mother, who is aged about 65 years, is suffering from multiple

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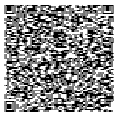
age related diseases and has developed some diabetic wounds on her arm and other parts of her body. She needs proper personal care for her well being. As per Section 3 of the Act, 2022, the petitioner is entitled for ten weeks parole in a year. Hence, he is still entitled to four weeks of parole. He has submitted an application before the Superintendent, Central Jail-I, Hisar for extension of his parole on 26.03.2025 but no action has been taken so far. Therefore, it is urged that the present petition may be allowed and the parole of petitioner may be extended by four weeks.

3. On the other hand, learned Assistant Advocate General, Haryana has opposed the prayer of the petitioner on the ground that he has been granted parole only upto 08.04.2025. Since he has availed the parole granted to him, he is not entitled to extension of parole period since as per Section 3(2) of the Act, 2022, the period of parole of ten weeks can be availed by a convict in two parts and not in one go. Hence, it is urged that the petition is liable to be dismissed.

4. I have heard learned counsel for the parties at considerable and have also gone through the record carefully.

5. The petitioner has been granted parole for a period of six weeks and was to surrender today itself after availing the same. He has moved an application before the Jail Superintendent concerned for extension of his parole on the ground that his mother is not maintaining good health and needs his care but no decision has been taken. He has set up a case that he is in fact entitled to parole for ten weeks in a year and he can still avail parole for four weeks. However, a perusal of Section 3(2) of the Act, 2022, a convict can be released on parole for ten weeks in a calendar year but the convict has to avail

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the same in two parts. Although the petitioner has placed on record some photographs of his mother showing that she is having some wounds but no medical records has been placed on record to show that she is seriously ill. Keeping in view the said facts, the parole granted to the petitioner does not deserve to be extended. Accordingly, the present petition is dismissed. Since the petitioner was to surrender today itself which he could not do due to pendency of this petition, he is granted three days time from today to surrender before the jail authorities. He will be at liberty to move appropriate application for grant of parole before the authorities concerned on being entitled for the same.

08.04.2025

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No