



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

**CRWP-4402-2025(O&M)
Date of decision: 03.07.2025**

Vijay Pal

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

SANJAY VASHISTH, J. (ORAL)

1. In the instant petition filed for grant of parole, on 03.05.2025, the following order was passed:

“1. In the present case, on 02.05.2025, following order was passed:-

1. Present criminal writ petition has been filed under Article 226 227 of the Constitution of India read with Sections 3 and 4 of The Haryana Good Conduct Prisoners (Temporary Release Act). 2022, for issuance of a writ in the nature of mandamus to respondent No. 3 and 4 to grant emergency parole for a period of eight weeks.

2. Learned counsel for the petitioner submits that the petitioner is a life convict under Section 302 of the Indian Penal Code and has already undergone incarceration for a total period of eight years and six months. It is further contended that the petitioner seeks release on emergency parole for a period of at least eight weeks on humanitarian grounds, as his wife is presently in a Coma state.

Counsel also submits that the petitioner had previously been granted parole, during which he abided by all conditions and surrendered within the stipulated time, without any misuse of the liberty granted to him.



In support of the medical condition of the petitioner's wife, namely Mrs. Anil Kumari, the petitioner has annexed a medical certificate issued by Dr. Navtej of Dr. Vaishnavi Multi-Speciality Hospital, Dev Nagar, Jhajjar Road, Bahadurgarh. As per the certificate, the patient, Anil Kumari, was admitted to the hospital with complaints of unconsciousness, fever, hypertension, nausea, cough with sputum, breathlessness, and abdominal pain persisting for the last 10-15 days.

3. Notice of motion.

4. Mr. Kanwar Sanjiv Kumar, AAG. Haryana, appears on behalf of respondent/State and seeks time to file reply.

5. Let the medical condition of the petitioner's wife be verified and report be submitted before this Court on the date fixed.

6. List on 03.05.2025 in urgent list."

2. Today, in compliance to the order dated 02.05.2025, learned State counsel has filed the short reply dated 02.05.2025, by way of affidavit of Amit, Deputy Superintendent, District Jail Jhajjar, on behalf of respondents No.1 to 4 State, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

3. Para No.5 of the short reply, says as under:-

"5 This office got verified the facts regarding serious illness of the petitioner's wife namely Mrs. Anil Kumari through the S.H.O. Police Station Aasouda, Jhajjar vide PTM/E-mail No 1108-09 dated 02-05-2025. The S.H.O. Police Station, City Bahadurgarh instead of P.S. Aasouda has submitted his report stated that the verification Mrs. Anil Kumari W/o Vijay Pal S/o Roop Ram, Resident of Village Jakhoda, Now House No 1336 Sector 7. Bahadurgarh was done by the neighbours. She is stated to be ill. She has two sons Mohit & Paras who live outside their house along with their children Who comes at home sometime and treatment of Mrs. Anil Kumari is ongoing. Mostly patient's/her daughter namely Amits looks after her



mother. Amita is married. The S.H.O. City Bahadurgarh has also submitted the Doctor's report. Dr. Bhupender Kumar Sharma, Medical Director, Vaishnavi Multi Speciality Hospital, Bahadurgarh stated that patient Anil Kumari W/o Vijay Pal, Aged 52 Years old, was treated in my hospital, and at present her treatment is ongoing at home. According to patient's/her report, her mental and physical health condition is not good. The patient has a feeding tube inserted for taking food & also inserted a tube for urine. Considering the patient's/her condition it can not say how long she will survive. Her family members need to providing continue care to the patient. She is currently in a coma-like state. A summary of her treatment is also enclosed. (Police Report along with Medical Report is annexed as annexure R-II &/R-II/T)."

4. By referring to para No.3 of the short reply, learned State counsel submits that petitioner/convict does not deserve the allowing of prayer for releasing him on parole, because earlier on 10.06.2015, petitioner was released on parole for a period of six weeks and was directed to surrender at Jail gate on 23.07.2015 at 10:00 A.M..

Instead of surrendering back to the Jail Authorities, petitioner absconded from parole and was arrested by police on 28.07.2024 i.e. after a gap of about 09 years.

5. Heard.

6. Taking note of all the circumstances, and the factum of illness, which has also been mentioned in the short reply filed by the State, in Court today, wherein, it has been specifically recorded that wife of the petitioner requires a regular care, because, a feeding tube has been inserted for taking food, and also inserted a tube for urination.

Therefore, taking sympathetic view towards the medical condition of the life partner of the petitioner, he is directed to be released on emergency parole for a period of four weeks from today, by further directing to surrender back to the Jail



Authorities on 02.06.2025 at or before 05:00 P.M., in compliance to the directions passed by this Court.

Besides, taking note of the conduct of the petitioner that on earlier occasion, he absconded for 09 years, when he was released on parole, it is also directed that petitioner shall report to the concerned SHO of the Police Station Sadar Bahadurgarh, where petitioner resides, on every alternative day.

In case, he fails to report to the concerned SHO, as directed by this Court, present concession of parole shall be deemed to be of no consequence, rather, the interim parole concession shall be considered as cancelled.

7. List again on 05.06.2025.”

2. Again, while considering the application [CRM-W-771-2025], interim parole was extended upto 02.07.2025, and accordingly the petitioner was directed to surrender before the jail authorities at or before 5:00 PM on the said date.

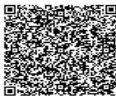
3. Further, on 01.07.2025, the following order was passed:

“With reference to the order dated May 28, 2025, learned counsel for the petitioner submits that after the period being extended by this Court, the petitioner is required to surrender on 02.07.2025. Accordingly, he prays for an adjournment.

List on 03.07.2025.

To be shown in the urgent list.”

4. Today, no one is present on behalf of the petitioner to assist the Court or to apprise whether the petitioner has surrendered before the police authorities. However, learned Deputy Advocate General, Haryana, confirms the fact that the petitioner has indeed surrendered to the police authorities, and the petition can be disposed of, as no further direction is warranted.



5. In view of the statement made by learned Deputy Advocate General, Haryana, the petition is hereby disposed of, as no further directions are required to be issued.

(Sanjay Vashisth)
Judge

03.07.2025
Rajan

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No