



Sanjay Tomar Versus State of Himachal Pradesh and others

CWP No.8782 of 2023

14.02.2024 Present: Mr. Hemant Thakur, Advocate, for the petitioner

Mr. Vishal Panwar, Additional Advocate General with Mr. Ravi Chauhan, Deputy Advocate General, for the respondents.

CMP No.1597 of 2024

Notice. Mr. Ravi Chauhan, learned Deputy Advocate General, appears and waives service of notice on behalf of the non-applicant.

2. By way of this application, the applicant is seeking extension of parole which is expiring on 17th February, 2024 on the ground that marriage of applicant's sister [Ms. Shivani] is fixed on 28.02.2024 [Annexure P-3].

3. This Court is of the considered view that parole, which is expiring on 17th February, 2024, cannot be extended by way of a judicial order. The applicant is free to apply for extension of parole to the competent authority, who shall verify the facts and examine the case for extension afresh in accordance with law. In case, the applicant applies for extension of parole within three days, State Authorities shall undertake the required verification, expeditiously, in accordance with law, within ten days thereafter.

4. However, it is clarified that the mere submission of application for extension of parole, shall not be construed as ground for non-surrender, on expiry of present parole period on 17.02.2024. The applicant shall surrender on 17.02.2024. However, the claim for extension shall be independently examined in accordance with law, on receipt of report from the competent authority, which shall be filed alongwith the Reply-Instructions on or before **26.02.2024**, on which date the matter be listed before the appropriate Bench.

CMP No.1598 of 2024

5. Disposed of with a direction to the applicant to file English Translation of Annexure A-3 and Annexure A-4 by the next date of hearing.

The application is disposed of accordingly.

(Ranjan Sharma)
Vacation Judge

February 14, 2024
(Bhardwaj)