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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1741 of 2014
Date of Decision: 08.04.2015

AJAY JADEJA @ JANAK

.....Petitioner

Vs

STATE OF HARYANA & ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Varinder Singh Rana, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J. (Oral)

Reply filed by way of affidavit on behalf of respondents No.1 to 3 in Court is taken on record.

The petitioner assails the order dated 01.09.2014 (Annexure P-1) passed by respondent No.2 vide which prayer for the grant of furlough was rejected.

Learned counsel for the petitioner contends that Haryana Good Conduct Prisoners (Temporary Release) Amendment Act, 2012 and Amendment Act of 2013 would operate prospectively.

In order to supplement his arguments, learned counsel relies upon Division Bench judgment dated 09.02.2015 passed in

CRWP No.1078 of 2014 titled as **Sonu @ Arun v. State of Haryana and others;** decision dated 26.02.2015 rendered in **CRWP No.1111 of 2014** titled as **Rajesh v. State of Haryana and others** and decision dated 09.01.2015 in **CRWP No.793 of 2014** titled as **Jaivir Singh v. State of Haryana and others.**

As against this learned State counsel relies upon instructions dated 29.10.2013 issued by the Director General of Prisons, Haryana after the decision rendered in **CRWP No.2104 of 2012** on 14.12.2012 titled as **Ajay Jadeja @ Janak v. State of Haryana and others.**

Later judgments of this Court have not been considered by the respondent-authorities.

At this stage, without embarking upon merits of the case, let respondent No.2 applies himself to the given situation and pass fresh order after considering the legal issues in the light of observations made in aforesaid judgments. Needful be done within fortnight.

Accordingly, the impugned order dated 01.09.2014 (Annexure P-1) is set aside.

Petition stands disposed of in the above terms.

April 08, 2015
Atik

(RAJ MOHAN SINGH)
JUDGE