

CRWP-24-2017

Date of decision : February 14, 2017

Ravi @ Bhanja

...Petitioner

VERSUS

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE M.JEYAPPAUL
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**Present : Mr. A.S.Trikha, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

M.JEYAPPAUL, J.(ORAL)

Convict Ravi @ Bhanja has challenged the rejection of furlough sought for by him.

Petitioner was convicted in a case under Section 302 IPC. Ever since the date of arrest, he has been in custody. In other words, he has undergone 3 years of imprisonment continuously as required under the Haryana Good Conduct Prisoners (Temporary Release) Act, 2013. In fact, the Jail Superintendent, has recommended the plea for furlough sought for by the petitioner as his conduct was good in the prison. Of course, the writ petitioner has faced three criminal cases but those cases, had admittedly ended in acquittal.

The Commissioner, Rohtak Division vide the impugned order dated 26.09.2016 chose to reject the plea of the petitioner for furlough on the ground that the convict may again commit crime and may also jump

furlough or there may also be a breach of peace in the village.

All the three criminal cases, the petitioner faced had ended in acquittal. No material was produced by the State to come to a conclusion that the writ petitioner may commit crime again and his release may cause breach of peace in the village.

In our considered view, in case the petitioner is released on furlough, he will have an opportunity to reform himself by associating himself with the family members and villagers.

Therefore, plea for furlough sought for by the petitioner is accepted. He be released on furlough subject to the satisfaction of the District Magistrate, Bhiwani for three weeks commencing from 20.02.2017 to 07.03.2017. The convict shall surrender on 08.03.2017 at 10.00 a.m.

Copy of the order be supplied under the signatures of Court Secretary.

(M. JEYAPPAUL)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

February 14, 2017

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Whether Speaking/Reasoned	Yes
Whether Reportable	No