

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

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**CWP No. 18756 of 2019
Date of Decision : 25.7.2019**

Kulwant alias Monu

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present : Mr. R.S. Dhull, Advocate, for the petitioner

Mr. Sandeep Vashisth, DAG, Haryana

KULDIP SINGH, J. (Oral)

The furlough of the petitioner was declined vide the impugned order dated nil (Annexure P-1) on the ground that the petitioner is a hardcore prisoner and a mobile phone was recovered from him.

The State has filed the reply, which is taken on record.

Earlier this Court in CWP No. 17057 of 2018, decided on 6.9.2018, while considering the plea of the petitioner for parole, discarded the said ground of recovery of mobile phone on the ground that the trial of the said case is still pending

Therefore, in view of the said decision in CWP No. 17057 of 2018, the said ground is not available to the State. As such, the impugned order Annexure P-1 is quashed. The State is directed to re-consider the case of the petitioner in the light of the judgment passed in CWP No. 17057 of 2018 and pass a fresh order within 10 days from the date of receipt of copy of this order.

**(KULDIP SINGH)
JUDGE**

25.7.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No