

CRWP-1498-2019

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

Sr. No.212

CRWP-1498-2019

Date of Decision: 20.12.2019

SATISH

....Petitioner

VS

STATE OF HARYANA AND OTHERS

....Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Susheel Gautam, Advocate,
for the petitioner.

Mr. Vivek Saini, Deputy Advocate General, Haryana.

JITENDRA CHAUHAN, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for setting aside the impugned order dated 13.08.2019 passed by the Commissioner, Karnal Division, District Karnal (Annexure P-1) and seeking furlough for three weeks in view of Section 4(1)(a) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

Learned counsel for the State has filed reply in the Court today, which is taken on record.

Learned counsel for the petitioner states that the parole to meet the family has been declined by respondent No.2 on the basis of the report of District Magistrate, Saharanpur, to the effect that there is a strong apprehension of absconding of the accused during the release on furlough. It is contended that the petitioner had earlier applied for parole for admission of children wherein an identical apprehension was expressed by the authorities, however, that was assailed by the

grant two weeks' parole vide order dated 28.03.2018. The petitioner did not misuse the concession of parole.

Heard.

Keeping in view the above facts, the matter of apprehension of the authorities is not well-founded. In the circumstances, the present petition is allowed and the petitioner is granted furlough for a period of three weeks to meet his family members, on his furnishing indemnity bond in the sum of ₹1,00,000/- with two local sureties in the like amount to the satisfaction of the District Magistrate/Duty Magistrate concerned. The petitioner shall surrender before the jail authorities after expiry of four weeks and date and time of surrender to be noticed by the releasing Court.

(JITENDRA CHAUHAN)
JUDGE

(ARCHANA PURI)
JUDGE

20.12.2019

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No