

CRWP-1711-2019

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

Sr. No.215

CRWP-1711-2019

Date of Decision: 18.12.2019

RAHUL

....Petitioner

VS

STATE OF HARYANA AND OTHERS

....Respondents

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

Present: Mr.Saurabh Dalal, Advocate
for the petitioner.

Mr. Vivek Saini, Deputy Advocate General, Haryana.

JITENDRA CHAUHAN, J. (ORAL)

The petitioner has approached this Court under Article 226 of the Constitution of India for setting aside the order dated 19.12.2018 (Annexure P-1) passed by the Commissioner, Rohtak Division, District Rohtak, whereby the prayer for temporary release on account meeting his family, was declined by respondent No.2 and seeking furlough/parole for one month.

In view of the earlier conduct of the petitioner, the case of the petitioner was recommended for parole by respondent Nos.3 and 4 i.e. District Magistrate, Jhajjar, and Jail Superintendent, Jhajjar, respectively. However, the same was declined by respondent No.2 on the ground that his release can lead to breach of law in the society. It is contended that the petitioner also had not completed one year's mandatory period of sentence. The earlier application of the petitioner for parole was declined and this application is for furlough. The petitioner is involved in two other cases.

Heard.

The petitioner is entitled to be released on parole particularly in view of the recommendation of District Magistrate and Jail Superintendent concerned. In the circumstances, this Court is inclined to allow this petition. Ordered accordingly.

The petitioner is ordered to be released on furlough for a period of 4 weeks as per Rules on furnishing indemnity bond in the sum of Rupees Five Lakh with two local sureties in the like amount to the satisfaction of the District Magistrate/Duty Magistrate, Jhajjar. 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

18.12.2019

Himanshu

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No