

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 12.09.2019****CWP No.38032 of 2018**

Om Parkash @ Ram Niwas @ Bhagdi

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjeev Majra, Advocate, for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner has moved the instant petition feeling aggrieved by the order dated 05.10.2018 passed by the Commissioner, Karnal Division, Karnal vide which his request for seeking furlough to meet his family members was declined.

Having heard learned counsel for the parties at considerable length, I find no ground to interfere with the order passed by the Commissioner or to grant furlough to the petitioner. A perusal of the reply filed by the respondents/State reveals that except the present one, many cases are registered against him. In the year 2012, he was granted three weeks furlough with the direction to surrender in jail on 14.12.2012, but he absconded. After 35 days, he was again admitted in jail on 18.01.2013 and case FIR No.11 dated 17.01.2013 was also registered against him under Section 8 and 9 of the Prisons Act, 1894. As per reply, during absconding period, the petitioner committed crime and was arrested in case FIR No.6 dated 17.01.2013.

Considering the criminal propensities of the petitioner and the fact that he has misused the earlier furlough given to him, there is every possibility that if the petitioner is released on furlough, he may misuse the same and indulge in the same criminal activities.

Accordingly, the instant petition is ordered to stand dismissed.

12.09.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*