

In the High Court of Punjab and Haryana at Chandigarh

**Criminal Writ Petition No. 7915 of 2020
Date of Decision: 06.10.2020**

Sanjay

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. V.S.Rana, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India seeking quashing of the order dated 29.7.2020 (Annexure P-3) passed by respondent No. 2 vide which furlough application of the petitioner has been declined.

Learned counsel for the petitioner submits that the petitioner has been convicted for life imprisonment in FIR No. No. 159 dated 24.8.2001 under Sections 302, 449, 211, 120-B, 34 IPC and Section 25 of the Arms Act, 1959, registered at P.S. Tosham, District Bhiwani. He further submits that earlier the petitioner jumped parole twice and now as per the amended provisions of the Haryana Good Conduct Prisoners (Temporary Release) Amendment Act, 2015, the petitioner is eligible for release on parole as he has undergone sentence in the jail for about 09 years.

Notice of motion.

On the asking of the Court, Mr. Ramesh Kumar Ambavta,

AAG, Haryana accepts notice on behalf of the State. He states that though as per the provisions of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, any prisoner who had not been awarded death penalty may be entitled for the temporary release or furlough, only if he has completed five years imprisonment but on the other hand, the petitioner was earlier jumped parole twice.

I have heard the learned counsel for the petitioner as well the learned State counsel.

Though there is a report that the house of the petitioner needs repair but the fact remains that the petitioner was earlier granted the concession of parole by the competent authority but he jumped parole twice and did not surrender.

Keeping in view the facts and circumstances of the present case, no ground for interference is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

October 06, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No