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

**CRWP No.2258 of 2019
Date of Decision: 16.01.2020**

Hemant @ Mithun

Petitioner

Versus

State of Haryana and others

Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

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

Mr. Sukhdeep Parmar, DAG, Haryana.

AJAY TEWARI, J (Oral):

[1] Through this petition, the petitioner has sought for a writ in the nature of certiorari for quashing of the speaking order dated 17.02.2019 [Annexure P-1] passed by respondent No.2 whereby benefit of furlough to the petitioner has been denied so also for issuance of a writ in the nature of mandamus directing the respondents/State to grant the benefit of furlough to the petitioner for a period of three weeks to enable him to meet his family members and for restoring social ties.

[2] The petitioner was convicted and sentenced to undergo life imprisonment under Section 302, 34 of IPC in FIR No.906/2012 registered at P.S. City Bhiwani, Bhiwani.

[3] Learned State counsel submits that benefit of furlough

has been declined to the petitioner on the ground that he is a habitual criminal and may abscond.

[4] It is, however, not disputed that the petitioner was released on parole for 28 days from 09.05.2017 to 07.06.2017 and surrendered back on time without committing any offence during that time.

[5] In the circumstances, we see no reasons to deny prayer to release the petitioner on furlough for three weeks.

[6] The petition is allowed. The impugned order dated 17.02.2019 [Annexure P-1] is quashed. The petitioner is granted furlough for three weeks from the date of release to the satisfaction of the District Magistrate concerned, who is further directed to impose such conditions as are required to secure the presence of the petitioner in jail after the period of furlough is over.

**[AJAY TEWARI]
JUDGE**

**[AVNEESH JHINGAN]
JUDGE**

January 16, 2020

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No