

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

CRWP-2894-2021 (O&M)
Date of decision: 16.11.2021

Rakesh @ Rinku

... Petitioner (s)

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Prateek Rathee, Advocate,
for the petitioner (s).

Mr. Ankur Mittal, Addl. AG, Haryana with
Mr. Saurabh Mago, AAG, Haryana.

RITU BAHRI, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

As per reply filed by Superintendent of Jail, Central Jail-I, Hisar, the petitioner has been convicted under Section 412 IPC and acquitted under Sections 395 of IPC and 25 of Arms Act. The petitioner after his acquittal in the above said case under the relevant sections cannot be come under the category of hardcore prisoner. Case of the petitioner has now again been sent to District Magistrate, Churu vide letter dated 19.10.2021 for his report/recommendation with a copy to Commissioner, Hisar Division, Hisar who is competent authority to grant parole/furlough to the convict vide letter dated 19.10.2021. The petitioner has applied for furlough to meet his family members and now his case has already been

initiated by the office.

Learned State counsel has further referred to Rule 7 Sub Clause (c) of Notification dated 18.12.2007 of the Jail Department whereby if a convict is resident of State other than Haryana, then his case for parole/furlough has to be initiated by Superintendent of Jail and forwarded for sanction to the Director General of Prison with a copy to the concerned District Magistrate where he belongs to.

In the present case, the recommendations has also been sought from District Magistrate, Churu and a letter has been sent to him on 19.10.2021 and due proceedings will be completed.

Since his case will now be initiated, after getting report from District Magistrate, Churu, the respondent will pass a final order in his case for furlough. No further order is required to be passed in this case.

Disposed of.

(RITU BAHRI)
JUDGE

(KARAMJIT SINGH)
JUDGE

November 16, 2021

Paritosh Kumar

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