

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CRWP-2960-2022
Date of decision: 02.04.2022

Sumit

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Jagmohan Singh, Advocate, for
Mr. Randeep S. Dhull, Advocate, for the petitioner.

SUVIR SEHGAL, J. (Oral)

Vide the instant petition filed under Article 226/227 of the Constitution of India read with Section 4 sub Section (1) and Section 6 of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, the petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to grant furlough to the petitioner for a period of four weeks to enable him to meet his family members and for restoring social ties.

Counsel for the petitioner has submitted that the petitioner has been convicted under Section 376-D of the Indian Penal Code, 1860 and Section 4 of Protection of Children from Sexual Offences Act, 2012 in FIR No.64 dated 02.04.2014 for a period of 20 years and is undergoing sentence in District Jail, Rohtak. Criminal Appeal No.D-688-DB of 2016 preferred by the petitioner has been dismissed by a Division Bench of this Court on 27.08.2019. The petitioner submitted a request to Superintendent, District Jail, Rohtak for temporary release on furlough to meet his family members

and for restoring social ties, which has been forwarded vide No.13904-07 on 11.11.2021 to respondent No.3 for verification, however, nothing has been heard thereafter. Another request has been submitted by the petitioner on 15.03.2022, Annexure P-1, for release on furlough for harvesting of wheat crop.

Counsel submits that both the requests are pending with the authorities and no action has been taken.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of the respondents.

Heard counsel for the parties.

Keeping in view the fact that the application submitted by the petitioner for temporary release is under consideration and is pending with the authorities for the last more than four months, this Court deems it appropriate to dispose of the present petition with a direction to respondents No.2 to 4 to take a final decision thereon, if not already done so far, within a period of two weeks from the date of communication of this order.

A copy of the decision taken by the said respondents be intimated to the petitioner.

(SUVIR SEHGAL)
JUDGE

02.04.2022

Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No