

2023:PHHC:146817-DB
CRWP-2546-2023
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209 **CRWP-2546-2023**
Date of Decision: 20.11.2023

Mandeep ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. RS Dhull, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL , J.(Oral)

1. The petition has been filed seeking quashing of order dated 27.1.2023 whereby his application for grant of parole has been rejected. The petitioner has been convicted and sentenced by judgment and order dated 12.12.2017 in FIR No.860 dated 19.12.2014, registered at Police Station Civil Lines Hisar, District Hisar, to undergo imprisonment along with fine as under :-

Section(s)	Sentenced to R.I.	Fine	In default of payment of fine
302 read with 34 IPC, 1860	RI for life	Rs.10,000/-	S.I.for three months

2. The applicant is involved in other cases. The case of the applicant for release on furlough has been rejected earlier in the year

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2022 on the ground that the applicant is involved in several other cases. He had challenged the order in this Court in CRWP-1641-2022 decided on 25.5.2022 vide which the impugned order was set aside therein and the petitioner was granted the concession of furlough of four weeks. The petitioner had surrendered in time and did not misuse the concession of furlough.

3. Learned counsel for the State submits that case of the petitioner had been rejected on the ground that he is involved in several criminal cases and his release on parole would endanger the law, order and security of the State.

4. Heard.

5. The petitioner has been convicted under Section 302 read with 34 IPC, 1860. However his case for release on furlough has been rejected last year which had been challenged by him in CRWP-1641-2022 and this Court by order dated 25.5.2022 had set aside the impugned order and direct his release on furlough for a period of four weeks. The petitioner did not misuse the concession of furlough and had promptly surrendered at the expiry of the period of furlough. The impugned order rejecting the case of the petitioner on similar grounds of his involvement in other cases, which did not find favour with this Court earlier is once again the basis of the rejection of his release on furlough. It is necessary for a convict to maintain his contact with the society which would enable his reformation and transform him into a responsible citizen on his release. The impugned order appears to be without application of mind and is unsustainable.

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order is set aside. The respondents are directed to release the petitioner on parole for a period of four weeks on his furnishing bonds to the satisfaction of the concerned authority. On the expiry of period of parole of four weeks, the petitioner is directed to surrender before the jail authorities.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

20.11.2023
anuradha

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