



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

101

CRWP-7786-2024.

Date of Decision: 17.09.2024.

Manoj

....Petitioner.

VERSUS

State of Haryana and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Navdeep Singh, Advocate for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Haryana.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner has challenged order dated 27.06.2023 (Annexure P-1) passed by respondent No.4, whereby his application for release on furlough has been declined.

2. Learned counsel for the petitioner submits that the petitioner had been convicted under Section 302 IPC and sentenced to undergo life imprisonment. The petitioner had been granted special parole due to Covid-19 Pandemic and was involved in a scuffle with the owner of a Kiryana shop and FIR was registered against him. He submits that conduct of the petitioner was good while he was undergoing sentence in jail and only on account of the

stray incident, he could not have been denied the concession of furlough.

3. Learned State counsel has filed reply by way of affidavit of Deputy Superintendent, District Jail, Jhajjar, which is taken on record. A copy thereof has been furnished to learned counsel for the petitioner.

4. Learned State counsel while referring to the reply submits that petitioner was convicted in FIR No.439 dated 19.07.2021 under Sections 323, 325, 506, 34 IPC, registered at Police Station Sadar, Bhiwani, and sentenced to undergo two years rigorous imprisonment.

5. Heard.

6. The petitioner had been convicted in FIR No.194 dated 25.04.2015, Police Station Civil Line, Rohtak and sentenced to undergo life imprisonment for commission of offence punishable under Section 302 IPC. He had been released on special parole during Covid-19 Pandemic. During the period of special parole, he is alleged to have been involved in an unsavoury incident and is alleged to have hit the Kiryana shop owner with a weighing scale, which resulted in fracture and two injuries to the injured. The petitioner had been charged, tried and convicted for offences under Sections 323, 325, 506, 34 IPC and he was sentenced to undergo imprisonment for a period of two years.

7. In view of the conduct of the petitioner being involved in another incident, wherein he had caused serious injuries and was ultimately convicted and sentenced for a period of two years, we are of the considered view that the action of the respondents denying the release of petitioner on furlough cannot be faulted. The petitioner would have to undergo a period of five years

from the date of the institution of the FIR before he is considered eligible for release on furlough. Consequently, the petition being devoid of any merit stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

17.09.2024
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No