

ITEM NO.2 Court 8 (Video Conferencing)

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).6716/2019

(Arising out of impugned final judgment and order dated 10-11-2017 in CRAD No.580/2014 passed by the High Court Of Punjab & Haryana At Chandigarh)

GAURAV RANA @ KALA

Petitioner(s)

VERSUS

THE STATE OF HARYANA
(IA No. 95203/2020 - INTERIM BAIL)

Respondent(s)

Date : 19-04-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Dhruv Gautam, Adv.
Ms. Manisha Ambwani, AOR

For Respondent(s) Ms. Alka Agarwal, AAG
Dr. Monika Gusain, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

List this matter for hearing immediately after
Summer Vacations as the Appellant has already undergone
a sentence of 14 ^{1/2} years.

The Appellant was convicted under Section 302 r/w
Section 149 of the IPC and was sentenced to life
imprisonment with a direction that he shall not be
released from jail till his last breath i.e. natural
death. The said conviction and sentence was upheld by
the High Court.

The Appellant sought release on Furlough as per the provisions of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988. By an Order dated 28.12.2018, the Superintendent of Prison, District Prison- Yamuna Nagar rejected the prayer for Furlough on the ground that the Appellant was sentenced to imprisonment for life till his natural death by the trial court. Accordingly, the Appellant is not entitled to Furlough as per the provisions of the above-mentioned Act. According to the Appellant, he has not been granted Furlough for four years.

Section 6 of the Act provides that the request for release on Furlough shall not be accepted if it is likely to endanger the security of the State or the maintenance of public order or cause reasonable apprehension of breach of peace. The order passed by the Superintendent of the Prison does not mention any of the factors in Section 6 of the Act as grounds for rejecting the application for Furlough.

In the overall facts and circumstances of the case, we grant interim bail to the Appellant for a period of six weeks from the date of his release.

The Appellant is directed to surrender immediately after the expiry of six weeks.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master