

Balbir Singh Vs. State of Nct of Delhi

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Court : Delhi

Decided On : Jan-04-2011

Judge : Shiv Narayan Dhingra, J.

Acts : Code Of Criminal Procedure (CRPC) - Section 482

Appeal No. : W.P(Crl.) No. 1327/2010

Appellant : Balbir Singh

Respondent : State of Nct of Delhi

Advocate for Def. : Mr. Sanjeev Bhandari, Adv.

Advocate for Pet/Ap. : Mr. Vivek Sood, Adv.

Judgement :

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

1. This petition under Section 482 Cr.P.C has been preferred by the petitioner against an order dated 12th August, 2010 passed by competent authority declining an application of the petitioner for grant of furlough on the basis of adverse police report. The police report showed that the petitioner was a resident of Trilok Vihar, where his mother was residing. The mother of the petitioner had already entered

into an agreement to sell the residence and she could leave the place any time. There was every possibility that if the petitioner was released, he may escape the clutches of law and may not report back to undergo imprisonment. It was also reported that the Mohalla where his mother used to live was under terror of the petitioner and many people were not willing to talk due to fear of the petitioner. The people living in that Mohalla ultimately told the ASI that it would be danger to the peace of the area if the petitioner was allowed to live there.

2. The petitioner was granted parole only about two months before making application for furlough. The petitioner's request for parole and Furlough at such short interval is not understood. Parole and furlough are granted to maintain contact with the family but they are not to be granted so frequently that a criminal, who is undergoing sentence for serious offence like murder becomes danger to the society. I, therefore, consider that the competent authority rightly dismissed the application of the petitioner. The petition is hereby dismissed.

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