

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8534 of 2023

Petitioner :- Ajay Kumar Verma Thru. Brother Ramshila Verma

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another

Counsel for Petitioner :- Rakesh Kumar Nayak

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard the learned counsel for the petitioner and the learned A.G.A. who appears for the Opposite party nos.1 & 2.

(2) This petition has been filed by the petitioner for the following main prayer:-

"1) Issue a writ, order or direction in the nature of Mandamus thereby commanding the Opposite party no.1 to consider the application of the petitioner for premature release as per provisions in Cr.P.C. as well as on Probation Act on the basis of his longest stay and good conduct, forthwith in the interest of justice."

(3) It has been submitted by the learned counsel for the petitioner that the petitioner is languishing in jail for the last about 29 years. The mother of the petitioner has made a Representation to the Jail Superintendent concerned on 11.02.2023, a copy of which has been filed as Annexure No.5 to the writ petition. The petitioner has himself made a Representation to the Principal Secretary (Home), a copy of which has been filed as Annexure no.6 to the writ petition.

(4) Learned A.G.A. has pointed out that Annexure no.6 is undated and it is not clear whether it has actually been sent to the Principal Secretary (Home) as there is no verification made by the Jail Superintendent on the said Representation.

(5) This petition is **disposed of** with a direction to the petitioner to make a fresh Representation to the Principal

Secretary (Home) through the Jail Superintendent concerned, **within two weeks from today** with regard to his grievance. The Principal Secretary (Home), shall look into the matter and pass appropriate orders, strictly in accordance with law, **within a period of eight weeks thereafter.**

Order Date :- 6.11.2023

N.PAL