

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP No.1522 of 2014
Date of decision : 15.10.2015**

Jeet Singh

...Petitioner

Versus

State of Punjab and & others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. A.S. Trikha, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

JITENDRA CHAUHAN, J (ORAL)

Reply on behalf of respondents No.1, 3 and 4 filed in the Court is taken on record.

This petition has been filed under Article 226 of the Constitution of India for pre-mature release of the petitioner on the ground that he has undergone actual sentence of 09 years, 09 months and 10 days and earned remissions of 08 years and the total custody period including remissions is 17 years, 09 months and 10 days as on 18.11.2014.

Learned counsel for the petitioner refers to custody certificate (Annexure R-3) to contend that the petitioner is entitled for pre-mature release.

Learned State counsel submits that during the custody period, the petitioner committed a jail offence, therefore, a case was registered against the petitioner thereunder. For grant of

pre-mature release, the case of the petitioner was considered on the basis of conduct for the last five years, as the petitioner had indulged in jail offence, his case will be considered after he completes 18 years of sentence. The petitioner has not completed 18 years so far.

It further emerges that the case of the petitioner was declined in view of the order passed by the Hon'ble Supreme Court, on 09.07.2014 in Writ Petition (Criminal) No.48 of 2014, titled '**Union of India v. V. Sriharan @ Murugan & Ors.**' which subsequently stands modified.

However, this Court entertained and allowed the relief in similar circumstances.

Keeping in view Annexure R-3, no case for interference is made out at this stage. However, the competent authority shall examine the case of the petitioner in the light of the Annexure R-3 and the order passed by the Hon'ble Supreme Court in **Murugan's case (supra)**.

Disposed of.

15.10.2015
yogesh

**(JITENDRA CHAUHAN)
JUDGE**