

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

CRWP No. 1696 of 2014 (O&M)

Date of decision: 04.09.2015

Rakesh Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Rana, Advocate with
Mr. S.K. Gupta, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Jitendra Chauhan, J. (Oral)

CRM-W-224-2015

Keeping in view the averments mentioned in the application,
the same is allowed. The hearing of the main petition is preponed for
today.

CRWP-1696-2014

The present petition has been filed for quashing of the
impugned order dated 10.10.2014 (Annexure P-4), whereby the
premature release case of the petitioner was declined.

The learned counsel for the petitioner contends that the case
of the petitioner is squarely covered by the Punjab Govt., Policy dated

08.07.1991 (Annexure P-1). The petitioner has undergone about 14 years of actual sentence and 22 years with remissions.

The learned State counsel does not dispute the assertion raised by learned counsel for the petitioner.

Heard.

The petitioner was convicted in FIR No. 115 dated 09.06.1994, under Section 304-B IPC and sentenced to rigorous imprisonment for life. The petitioner is stated to have undergone 14 years of actual sentence and 22 years with remissions. As per column B of the policy, the minimum period of actual imprisonment to be undergone before a case of premature release is considered is minimum 18 years including remission. The petitioner has fulfilled the parameters as laid down in the above said policy of Punjab Govt.

In view of above, the present petition is allowed. The impugned order dated 10.10.2014 (Annexure P-4) is set aside. The petitioner be set at liberty forthwith on usual terms and conditions as per Govt., instructions dated 08.07.1991.

04.09.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE