

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No. 503 of 2015

DATE OF DECISION: 12.8.2015

Vijay Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Present:- Mr. Vijay K. Jindal, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

Admittedly, the case of the petitioner for premature release was not considered because of pendency of Criminal Writ Petition No. 48 of 2014 before Hon'ble the Apex Court, whereby, the State Governments were restricted from exercising their powers of remission to life convict.

Learned counsel for the petitioner has brought to the notice of this Court the decision delivered in aforesaid Cr.W.P, whereby, the earlier order passed has been modified to the extent that the President of India in exercise of his powers under Article 72 of the Constitution of India and the Governors of the States in exercise of their powers under Article 161 of the Constitution of India are not prevented from exercising their power.

Learned counsel further contends that now after decision in the aforesaid

CrI. W.P. by Hon'ble the Apex Court, the case of the petitioner is to be reconsidered in view of the clarification/amendment of earlier interim order.

Learned counsel for the respondent-State has not disputed the submissions made by learned counsel for the petitioner and submits that now the case of the petitioner will be reconsidered as per decision of Hon'ble the Apex Court.

Accordingly, the present petition is disposed of with a direction to respondent-State to re-consider the case of the petitioner for premature release in view of judgment of Hon'ble the Apex Court in the case of **Union of India Vs. Sriharan @ Murugan and others** decided on 23.7.2015. The necessary exercise be done within a period of two months from the date of receipt of copy of the order. In case, the case of the petitioner is not re-considered within the aforesaid period, the petitioner shall be entitled for interim bail and he may move an application for grant of the same.

August 12, 2015
pooja

(DAYA CHAUDHARY)
JUDGE