

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

CRWP-815 of 2015 (O&M)

Date of decision : 01.10.2015

Naresh Kumar

...Petitioner

V/S

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sarvesh K. Gupta, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

1. This Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of direction to the respondents to grant the benefit of premature release in terms of the Punjab Government Notification dated 08.07.1991 (Annexure P-1).

2. The learned counsel for the petitioner contends that case of the petitioner for premature release is covered by the Punjab Government Notification dated 08.07.1991 (Annexure P-1). However, the same was considered and declined in terms of Government Instructions dated 04.04.2013, which is not applicable in the case of the petitioner.

3. Reply by way of Affidavit of Superintendent, Central Jail, Amritsar on behalf of respondent Nos.1 to 3, filed in the Court, is taken on record. As per the reply, the case of the petitioner for premature release was considered in the light of Government Instructions dated 04.04.2013.

4. Keeping in view the prayer made in the petition, without advertent to the merits of the case, at this stage, the present petition is disposed of with a direction to respondent No.2, to re-examine the case of the petitioner and upon re-consideration if the competent authority reaches to the conclusion that case of the petitioner is covered by the Policy dated 08.07.1991, the consequential order be passed within 3 weeks from the date of receipt of the certified copy of this order.

5. Disposed of.

01.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE