

243.

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

CRM-M-23680-2013

Date of decision:26.07.2016

Nahar Singh

... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. S.K. Jain, Advocate,
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not ?
3. Whether the judgment should be reported in the digest ?

HARI PAL VERMA, J.(Oral)

Petitioner-Nahar Singh son of Bhag Singh, resident of Village Aklia, Police Station Joga, Tehsil and District Mansa, has filed this petition under Section 482 Cr.P.C. for directing respondents No.1 and 2 to conduct an independent and impartial inquiry into the premature release of respondent No.4 without undergoing the actual sentence awarded by this Court vide judgment dated 20.09.2010 (Annexure P-1). Prayer has also been made to issue any other suitable order or direction which this court may deems fit.

On notice of motion having been issued, reply by way of short affidavit of Jagjit Singh, Inspector General (Prisons), Punjab, has already been filed on behalf of respondents No.1 and 2, which suggests that

respondent No.4- Satpal Singh was wrongly released on 14.09.2012. He was

re-arrested on 28.03.2014 and sent to District Jail, Mansa on the same day to undergo his remaining portion of sentence. Now, he has been released from District Jail, Mansa on 03.03.2016 after the expiry of sentence.

Para No.4 of the reply suggests departmental action against the guilty officials, which reads as under:-

“It is submitted that in pursuance to the orders of Hon'ble High Court, the Deputy Inspector General (Prisons) was directed to conduct an inquiry. The Inquiry Report submitted by Deputy Inspector General (Prisons) has held following officers responsible for unauthorized release of Respondent No.4:-

1. Sh. Jagir Singh,
Superintendent, District Jail, Mansa;
2. Mohd. Shareef Bakshi
Deputy Superintendent, District Jail, Mansa;
3. Sh. Major Singh,
Assistant Superintendent, District Jail, Mansa.”

It has been submitted by the learned counsel for the State that on enquiry by DIG (Prisons), Sh. Jagir Singh, the then Superintendent, District Jail, Mansa was found innocent and Major Singh, who was working as Assistant Superintendent, District Jail, Mansa, has died. The remaining official, namely, Mohd. Shareef Bakshi, the then Deputy Superintendent, District Jail, Mansa, has been punished with stoppage of three increments with cumulative effect.

In view of the enquiry so conducted, no further orders are required to be passed in the present petition and the same is accordingly disposed of.

(HARI PAL VERMA)
JUDGE

26.07.2016
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