

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

**Criminal Writ Petition No.1576 of 2016
Date of Decision:-09.12.2016**

Surender Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. J.P. Jangu, Advocate
for the petitioner.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus to direct the respondents for premature release of the petitioner in case FIR No.73 dated 7.4.2003, under Sections 148, 149 and 302 IPC, registered at Police Station Dharuhera, District Rewari as per policy dated 26.9.2003 (Annexure P-2).

Learned counsel for the petitioner states that petitioner is a life convict and has undergone about 10 years and 4 months and in case remission is included, the custody comes about 12 years. He further states that the petitioner is entitled for premature release on completion of the aforesaid period of custody and in order to get premature release on completion of sentence, the petitioner has submitted a representation dated

28.10.2016 (Annexure P-3) to respondents No.2 and 3 but no action has been taken by the respondents.

Notice of motion.

On asking of the Court, Mr. Manish Bansal, DAG, Haryana accepts notice on behalf of respondent-State. Learned counsel for the petitioner is directed to hand over requisite number of copies of paper book to learned State counsel during the course of the day.

Without commenting on the claim as projected by the petitioner in the instant petition but considering the fact that the petitioner has submitted a representation dated 28.10.2016 (Annexure P-3), the present petition is disposed of with a direction to respondent No.2 to consider and decide the claim of the petitioner for his premature release preferrably within three months from today, in accordance with law.

December 09, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No