

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.178 of 2016

Date of Decision: 11.07.2016

Veer Bhan

.....Petitioner

Vs.

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Deepak Jindal, Advocate, for the petitioner.

Mr.Himmat Singh, DAG Haryana.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition is for consideration of the case of the petitioner for premature release on completion of 14 years actual sentence including undertrial period and 20 years of total sentence including remission in FIR No.20 dated 10.02.1999 under Sections 376(2)(g)/506/148/149 IPC, P.S.Sadar, Panipat, District Panipat.

Petitioner was sentenced to undergo life imprisonment by the trial Court vide judgment dated 15.01.2001. The criminal appeal i.e. Crl.Appeal No.125-DB of 2001 against this judgment has been dismissed by this Court on 26.04.2006. Learned counsel for the petitioner states that after this conviction petitioner has undergone actual sentence of 16 years till date and with remission 21 years.

On the basis of reply, stand taken by the counsel for the State that Hon'ble the Apex Court vide order dated 09.07.2014 (Annexure R-1), had restrained the State Governments to exercise power of remission to life convicts, but the said order was modified on 23.07.2015 and respondent No.3 was restrained from releasing premature release convicts who were convicted under

Section 376 IPC.

In view of the above, the case of the petitioner for releasing premature release cannot be considered as he was convicted under Section 376 2(g) IPC.

Dismissed.

(RITU BAHRI)
JUDGE

11.07.2016

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