

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

CRWP No.374 of 2016 (O&M)

Decided on: 21.07.2016.

Jasvir Singh @ Jassi

... Petitioner

Versus

State of Punjab and others

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

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

Mr. R.S. Nain, AAG, Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed for issuance of direction to the respondents to release the petitioner forthwith prematurely as per Govt. Instructions dated 08.07.1991, Annexure P-1 and for quashing order dated 10.2.2016, Annexure P-2.

Learned counsel for the petitioner contends that the petitioner has undergone actual sentence of 12 years and 3 months as against 10 years reflected in Policy, Annexure P-1. The case of the petitioner was sent for premature release to the office of ADGP, (Prisons), Punjab Chandigarh in 2014 but on the basis of report of the District Magistrate, Mohali, the petitioner was declined the benefit under the Policy. It is on record that the petitioner availed parole during the period of sentence. However, the concession of parole was never

misused by him. Learned counsel for the petitioner cites the authority

Bhagwat Saran and others vs. State of Uttar Pradesh and others

1983(1) SCC 389

In view of the Policy and the fact that the petitioner never misused the concession of parole, the objections raised without any foundation by the family members of the complainant, if any, cannot be accepted for declining the relief to the petitioner available to him under the Policy.

In view of above, the present petition is allowed. The order dated 10.02.2016 (Annexure P-2) is set aside. The petitioner be set at liberty forthwith, if not required in any other case.

21.07.2016.
Anoop

(JITENDRA CHAUHAN)
JUDGE