

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

COCN No.203 of 2017

Date of decision : January 31, 2017

Shamsher Singh

..... Petitioner

Versus

Sh. Jagpal Singh and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Rana, Advocate for the petitioner.

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

KULDIP SINGH J. (ORAL)

Petitioner, who was undergoing life imprisonment had approached this Court by way of filing Criminal Writ Petition No.1315 of 2013, praying for his pre-mature release. The petition was disposed of by this Court on 04.08.2014 with a direction to the respondents to consider the legal notice of the petitioner dated 04.04.2012 (Annexure P-2) and pass a speaking order within a period of four months from the date of receipt of certified copy of that order.

It comes out that in pursuant to the same, speaking order dated 10.12.2014 (Annexure P-2) was passed. In view of the order passed by Hon'ble the Sumpreme Court , it was ordered that since the State Government has been restrained from exercising power of remission to life convicts. Therefore, convict's premature release case cannot be considered at this stage.

Learned counsel for the petitioner contends that the stay has been vacated by Hon'ble the Supreme Court. Therefore, the matter is required to be reconsidered.

It being so, it is not a case of contempt of Court as the order of this Court was complied with. However, the present petition is disposed of with a direction to the respondents to reconsider the case in the light of the fact that according to the petitioner, the stay order by Hon'ble the Supreme Court has been vacated and decide the legal notice afresh, in accordance with law.

(KULDIP SINGH)
JUDGE

January 31, 2017

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Whether speaking / reasoned	Yes
Whether Reportable:	No