

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

CRWP-1763-2013 (O&M)
Date of decision : 19.01.2017

Sarwan Singh

...Petitioner

V/S

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Vijay K. Jindal, Advocate for the petitioner (s).

Mr. Luvinder Sofat, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

This Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of habeas corpus for granting the benefit of premature release to the petitioner.

The prayer of the petitioner for premature release was declined vide order dated 20.04.2016 by stating that remissions under TADA Act are not available to the petitioner and he had not undergone the requisite period of sentence i.e. 18 years including remission. As per the record the petitioner has now undergone 17 years and 9 months as against the requisite period of 18 years.

In view of this factual aspect of the matter, without advertng to the merits of the case, at this stage, the present petition is disposed of with a direction to the competent authority, to consider the case of the petitioner in the light of Annexures P-6/1 to P-6/9 and pass a speaking order, within a

period of 6 weeks from the date of receipt of the certified copy of this order.
In that eventuality, the petitioner shall have the liberty to revive the present petition.

In case, the competent authority reaches to the conclusion that case of the petitioner is covered under the said Annexures, the necessary relief be accorded to him.

19.01.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No