

Sr. No.235

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Criminal Writ Petition No.1550 of 2016 (O&M)

Date of Decision:19.01.2017

Pritam Chand

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. GPS Bal, Advocate,
for the petitioner.

Mr.Varun Sharma, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. praying for issuance of directions to the respondents for premature release of the petitioner who is presently confined in District Jail, Faridkot on account of his conviction in criminal prosecution initiated vide FIR No.20 dated 06.04.1993 under Sections 7 read with Section 13 (2) of the Prevention of Corruption Act, 1988 and such conviction recorded by the Special Judge, Faridkot having been affirmed right up to the Hon'ble Supreme Court. The sentence awarded to the petitioner is of 01 year of rigorous imprisonment.

It has gone uncontroverted that as of date the petitioner has undergone a sentence period of 7 ½ months approximately.

During the course of arguments, Mr. Bal has not been able to advert to any documents/instructions issued by the appropriate and competent authority to entertain a plea for premature release of a convict

In the reply that has been filed to the petition, it has been stated that release of the petitioner from jail becomes due only on 04.05.2017 but after enjoying remission as prescribed in Jail Manual, the earliest release possible is on 04.04.2017.

Under such circumstances, the prayer made in the instant petition cannot be entertained.

At this stage, Mr. Bal would intervene to submit that the petitioner is more than 80 years old and is suffering from age related medical ailments. Even in regard to such contention, the certificate of the Medical Officer, Modern Jail Hospital, Faridkot dated 03.01.2017 and appended as Annexure R-1 along with the reply may be noticed and wherein it has been certified that the petitioner certainly has age related medical issues but no significant medical problem.

Under such circumstances and while declining the prayer made in the present petition, the petition is disposed of with a direction to the respondent authorities to ensure that adequate and timely medical attention/treatment be afforded to the petitioner in the eventuality of any ailment that may arise.

Disposed of.

19.01.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No