

CRWP-1563-2016

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

CRWP-1563-2016

Date of decision-24.01.2017

Subhash

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Davinder Pal Soni, Advocate for
Mr. J.P.Jangu, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This writ petition under Article 226/227 of the Constitution of India has been filed for issuance of a writ in the nature of mandamus to direct the respondent for premature release of the petitioner by waiving off the remaining sentence in FIR No.1364 dated 30.08.1997 registered under Sections 460 and 302 read with Section 34 of Indian Penal Code at Police Station Sadar Gurgaon, District Gurgaon.

Learned counsel contends that the case of the petitioner is covered by judgment dated 22.03.2010 passed by Hon'ble the Supreme Court of India in Criminal Appeal No.566/2010 arising out of SLP (Criminal) No.6638/2009 titled as State of Haryana and others Vs. Jagdish.

Notice of motion.

At the asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondent-State. A complete copy

of the paper book has been furnished to the learned counsel, in the Court.

I have learned counsel for the petitioner and have gone through the case file.

The present petition is disposed of with the direction to respondent No.2-Director General of Police (Jail), Haryana, Bays No.3-4, Sector-14, Panchkula, to consider the case of the petitioner and decide the representation dated 28.10.2016 (Annexure P-3) and in case after the consideration, the competent authority reaches to the conclusion that the case of the petitioner is covered by the law laid down, an appropriate action be taken within three months thereof. The necessary exercise be completed within a period of three weeks from the receipt of certified copy of the order.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

January 24, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No