

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

**CRWP No. 1582 of 2016**  
**Date of Decision: 08.03.2017**

Kulwinder Singh

....Petitioner

**VERSUS**

State of Punjab and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

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

Mr. Ashish Sanghi, DAG, Punjab.

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**SURINDER GUPTA, J.(Oral)**

This is petition under Article 226 of the Constitution of India, seeking pre-mature release of the petitioner.

Learned counsel for the petitioner submits that the petitioner was convicted on 21.10.2003 and was awarded death sentence which was reduced to life imprisonment by the Apex Court. The case of the petitioner is to be considered for his premature release as per policy of 1991, which was prevalent at the time of his conviction and sentence. He has relied on the observations in case of *Partap Singh Vs. State of Punjab (CRWP No.390 of 2014 decided on 21.08.2014)*, wherein it has been observed that in the matter of conviction prior to release of Policy dated 04.04.2013, the case of a convict is to be considered for his pre-mature release as per earlier Policy dated 08.07.1991.

Learned State counsel submits that case of the petitioner for pre-mature release was considered under the policy notified by the State of Punjab on 04.04.2013. Being a convict prior to coming into operation of

2013 Policy, the case be sent back to the State for reconsideration under the earlier Policy of 1991.

In view of submissions of learned counsel for the petitioner and learned State counsel, this petition is accepted to the extent that respondent-State is directed to reconsider the case of petitioner under the policy of 1991 within a period of three months of the receipt of this order.

**March 08, 2017**  
*Sachin M.*

**( SURINDER GUPTA )**  
**JUDGE**

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|-----------------------------------------|----------------------|
| <i><b>Whether speaking/reasoned</b></i> | <i><b>Yes/No</b></i> |
| <i><b>Whether reportable</b></i>        | <i><b>Yes/No</b></i> |