

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

Sr. No.132

CRWP No.622 of 2017

Date of decision : 26.05.2017

Ajay Kumar @ Mintu

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India for the issuance of a direction to the respondents to consider the case of the petitioner for premature release as per Government Policy dated 08.07.1991 (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner was arrested in FIR No.35 dated 16.03.2005, registered under Sections 302/212/34 IPC, at Police Station Division No.1, Pathankot and then tried for the said offences and ultimately convicted and sentenced to undergo life imprisonment. The petitioner had assailed the judgment by way of an appeal before this Court, which was dismissed on 27.02.2015. The only relief that this Court gave was acquittal of the petitioner under Section 34 IPC.

It is submitted that the petitioner has already undergone more than 12 years of actual sentence and such sentence, including remissions is more than 18 years.

That being so, the petitioner's case for premature release was initiated by the competent authorities on 06.01.2016 but the same till date remains pending.

Learned counsel for the petitioner submits that he would be satisfied, at this stage, if a direction is issued to respondent Nos.1 and 2 to take a final decision on the matter with regard to premature release of the petitioner within a specified time.

The prayer made by learned counsel for the petitioner is found to be reasonable.

Accordingly, a direction is issued to respondents No.1 and 2 to consider and take a final decision on the matter with regard to the premature release of the petitioner, in accordance with law, expeditiously but not later than two months from the date of receipt of a certified copy of this order.

The petition stands disposed off in the above terms.

(DEEPAK SIBAL)
JUDGE

May 26, 2017

Jyoti 1

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