

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

**Crl. W.P.No. 17 of 2018
Date of Decision:- 12.1.2018**

Baljit Singh

....Petitioner

vs.

State of Punjab and others

....Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Sanjeev Manhas, Advocate,
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Sudhir Mittal, J. (Oral)

The present petition has been filed for quashing of order dated 4.5.2017 (Annexure P-4) whereby application of the petitioner for premature release has been declined.

It is not in dispute that the petitioner has undergone actual sentence of 10 years, 8 months and 22 days and 16 years, 4 months and 12 days with remissions. The impugned order has been passed on the ground that according to the Policy (Annexure P-1), a person who has killed any elected representative can only be released after completing actual sentence of 18 years or 20 years with remissions.

It is the contention of learned counsel for the petitioner that the person, who was murdered by the petitioner, was under suspension on the date of his death and, therefore, would not be covered by the term of the policy which provides a longer period of sentence for pre-mature release in

the case of death of an elected representative. I cannot agree with this contention because it is admitted that the person murdered by the petitioner was an elected representative. He was under suspension at the time of his death and, therefore, it cannot be said that his tenure as elected representative had come to an end.

In view of the above, no ground to interfere with the impugned order is made out and, the petition stands dismissed.

January 12, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No