

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13804 of 2018

Date of decision: October 8, 2018

Darshan Lal @ Baba

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

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

Ms. Lavanya Paul, AAG Punjab.

Rakesh Kumar Jain, J. (Oral)

The petitioner was tried in a case registered vide FIR No.260 dated 3.7.2007 under Sections 302, 483, 324, 323, 148, 149 IPC at P.S.Kotwali, Patiala. He was convicted and sentenced to suffer life imprisonment by the Additional Sessions Judge, Patiala on 19.4.2011. His appeal against the order of conviction and sentence was dismissed by this Court on 27.11.2003. The petitioner has applied for premature release in terms of the Policy dated 8.7.1991 (as applicable) on the ground that he has already suffered more than 11 years of actual sentence and more than 14 years of sentence with remissions. He has submitted that the petitioner falls in Clause 1.1(c) of the Govt. Policy, as per which he is required to undergo 10 years actual sentence and 14 years with remissions. In the reply filed by the respondents, it is averred that the case of the petitioner has been considered and forwarded to District Judge, Patiala for police report on 6.8.2018 but it appears that thereafter nothing has been done.

Counsel for the petitioner has submitted that he would be satisfied

if a direction is issued to the respondents to consider the case of the petitioner within the time prescribed by this Court. Accordingly, the present petition is hereby disposed of with a direction to respondents No.1 and 2 to consider the case of the petitioner for premature release in terms of the Policy dated 8.7.1991 keeping in view his sentence (i.e. both actual and with remissions) and pass the necessary orders within a period of two months from the date of receipt of certified copy of this order.

October 8, 2018

Meenu

(Rakesh Kumar Jain)
Judge

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