

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

CWP-11047-2018(O&M)
Date of Decision: 31.01.2019

Mohinder Singh	Versus	...Petitioner
State of Haryana and ors.		...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr. A.S. Sheoran, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambawata, AAG, Haryana

HARINDER SINGH SIDHU, J.

The petitioner has been convicted in FIR No.93 dated 22.10.2001 under Sections 302, 201 and 397 IPC, registered at Police Station Kasola District Rewari. He has filed the present petition seeking direction to the respondent to consider his case for pre-mature release in terms of policy dated 12.04.2002 (Annexure P-1).

In the affidavit filed on behalf of respondents No.1 to 3 , period of sentence undergone by the petitioner as on 23.07.2018 has been detailed as under:-

		YY-MM-DD
Under trial period: From 13.11.2001 to 13.09.2006		04-10-01
Conviction period From 14.09.2006 to 23.07.2018		11-10-10

Sentence undergone	=	16-08-11
Add Remission Earned	+	02-11-18

Total sentence undergone		19-07-29

Learned counsel for the petitioner submits that for consideration for pre-mature release in terms of the policy (Annexure P-1), the applicant-convict should have completed 14 years of actual sentence including under trial period and the total period of sentence including remissions should not be less than 20 years. He states that as the custody period depicts the position as on 23.07.2018, he by now has completed 20 years of sentence and is entitled for consideration for pre-mature release in terms of the policy.

In view of the above, this petition is disposed of with a direction to the respondents to consider the case of the petitioner for pre-mature release in terms of the policy and take a decide thereon expeditiously, preferably within a period of two months.

January 31, 2019
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned: Yes

Whether Reportable: Yes/No