

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

CWP-20573-2019 (O&M)
Date of Decision:- 16.9.2019

Prem Singh ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hoshiar Singh Jaswal, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking directions to be issued to consider the case for his premature release having undergone imprisonment more than period prescribed in terms of policy dated 12.4.2002 issued by the State of Haryana.
2. The petitioner stands convicted in respect of a case registered vide FIR No. 329 dated 2.11.2004 at Police Station Udyog Vihar, District Gurgaon whereby the learned Sessions Judge, vide judgement dated 4.12.2006/7.12.2006, while holding the petitioner guilty for having committed offences punishable under Sections 307/302/34 of IPC and Section 25 of Arms Act sentenced him to undergo rigorous imprisonment for life.
3. The learned counsel for the petitioner submits that as on date, the petitioner has already undergone an actual sentence of more than 14 years and has undergone a total sentence of 18 years of sentence including remissions and

as such, is fully covered by the policy/instructions dated 12.4.2002 (Annexure P-1) issued by the Government of Haryana for premature release of the convicts.

4. Upon notice of motion having been issued, the learned State counsel has today filed reply wherein it has been stated that the case pertaining to premature release of the petitioner has been processed and has been forwarded to the office of Director General of Prisons, Haryana vide letter dated 16.8.2019 for being placed before the State Level Committee.
5. In view of the aforestated categoric stand taken by the State of Haryana, the petition is disposed of with a direction to State of Haryana to pass a speaking order pertaining to consideration of the case of the petitioner for his premature release expeditiously and in any case not later than 3 months from today. Needless to mention, the State shall pass any such order after taking requisite reports from the authorities concerned regarding the conduct and antecedents of the petitioner.
6. The petition stands disposed of accordingly.

16.9.2019

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No