

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

(217)

CRWP-437-2020.

Date of Decision:-17.11.2021.

Manjit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanjeev Minhas, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Articles 226 of the Constitution of India read with Section 482 of Cr.P.C. for issuance of direction to the respondents to consider and decide the premature release case of the petitioner in terms of the policy prevalent at the time of the petitioner's conviction.

Learned counsel for the petitioner has submitted that the case of the petitioner for pre-mature release is covered by the policy dated 08.07.1991 (Annexure P-1). Further reference has been made to the reply submitted by the State, as per which, it has been mentioned in paragraph 2 that respondent No.3-Superintendent, Central Jail, Ludhiana had initiated the premature release case of the petitioner and vide letter No.342 dated 07.05.2019, D.M. (for short 'District Magistrate') report was received and convict case was not recommended and after being informed about the said D.M. report, the petitioner had given new Panchayatnama along with application on 23.05.2019 and a new address was given by the petitioner and, accordingly, the D.M. report along with police

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verification report from the D.M. Hoshiarpur, was sought by the office of the Jail Superintendent, vide letter No.5163 dated 12.06.2019 for considering the premature release case of the convict. Further in paragraph 3 of the reply, it has been stated that in spite of several letters issued as reminders till date, the D.M. report is pending and it is after the receipt of the D.M. report, that the premature release case of the petitioner will be sent for consideration to the Government of Punjab.

Learned counsel for the petitioner has submitted that at this stage, he would be satisfied in case respondent No.1 is directed to take a final decision on the premature release case of the petitioner in a time bound manner.

Learned State counsel has submitted that above-said process would take at least two months and has, accordingly, prayed for two months' time to take the final decision on the case of the petitioner for pre-mature release.

Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to respondent No.1 to take the final decision on the premature release case of the petitioner by passing a speaking order, and after calling for all the relevant reports, within a period of two months from the date of receipt of the certified copy of this order.

(VIKAS BAHL)
JUDGE

November 17, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No