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

**CRM-W No.1087 of 2021 in/and
CRWP No.2060 of 2020
Date of Decision: 12.10.2021**

Premjit Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sandeep Verma, Advocate,
for the applicants/petitioners.

Mr. B.S. Sewak, Addl. A.G., Punjab.

SUDIP AHLUWALIA J. (ORAL)

CRM-W No.1087 of 2021

For the reasons mentioned in the application, the applicants/petitioners are permitted to place on record a copy of the orders passed by this Court in CRA-D No.273-DB of 2011 and CRA-D No.1106-DB of 2011 vide order dated 20.11.2015 (Annexure P-10).

Application stands disposed off.

CRWP No.2060 of 2020

The instant petition has been filed under Article 226 of the constitution of India read with section 482 Cr.P.C. for the issuance of a writ in the nature of certiorari for setting aside the orders dated 03.10.2019 (Annexure P-8) passed by respondent No.1.

2. Attention of the Court is drawn to the impugned order (Annexure P-8) vide which the petitioners' prayer for premature release was rejected by the Additional Director General of Police (Jails), Punjab.

However, similar prayer on behalf of the co-convict, Jagdeep Singh, who was also found guilty of the same offences and awarded identical punishment by the Ld. Trial Court, was allowed vide the order dated 05.12.2018 (Annexure P-9). The judgment of conviction and sentence awarded to the petitioners and the above-said co-convict was upheld by a Division Bench of this Court in **CRA-D No.273-DB of 2011** on 20.11.2015 (Annexure P-10).

3. To that extent, therefore, there is a clear inconsistency in the impugned order in which altogether different view has been taken on behalf of respondent No.2 in the matter of considering the petitioners' prayer for premature release.

4. Keeping in view the above, the impugned order, therefore, is set aside with a direction upon respondent No.2 to pass a fresh reasoned order on the petitioners' prayer of premature release after taking into account the order passed in respect of co-convict, Jagdeep Singh. Such, order shall be passed by the Competent Authority/Authorized Officer under respondent No.1 within a period of four weeks from the date of communication of this order.

5. Disposed off.

12.10.2021

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**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No