

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

223

CRWP-1394-2019 (O&M)

Date of Decision: 28.09.2021

Sukhvinder @ Shoki

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. H.S.Jaswal, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioner, who is undergoing sentence for varying terms the maximum being imprisonment for life for offences punishable under Sections 365/302/307 read with Section 34 IPC in pursuance of the judgment dated 30.05.2013 passed by this Court in an appeal preferred by the petitioner against the judgment of conviction and order of sentence dated 27.11.2007 and 30.11.2007 respectively rendered by the learned Additional Sessions Judge, Narnaul, seeks his premature release in terms of policy/instructions dated 12.04.2002 (Annexure P-3).

Learned counsel for the petitioner has pointed out that in the instant case since the murdered person was not the one who had been kidnapped by the accused, the relief of premature release cannot be denied to the petitioner on account of provisions of para 2 (ix) of the policy/instructions dated 12.04.2002.

Although reply on behalf of the State has already been filed, but learned State counsel has informed that in fact the application dated 07.11.2019 moved by the petitioner has not been decided so far.

In view of the aforestated position, the instant petition is disposed of with a direction to the respondents to process the application dated 07.11.2019 (Annexure P-4) in accordance with law and to dispose of the same in terms of the policy/instructions dated 12.04.2002 expeditiously preferably within a period of 3 months from today.

Needless to mention, the authorities concerned shall take into account the above noted contention made on behalf of the petitioner as well.

28.09.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**