

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-2033-2022(O&M)
Date of decision : 26.07.2022

Satinderjit Singh @ Spinderjit Singh @ Fauji

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Veneet Sharma, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

CRM-W-907-2022 & CRWP-2033-2022

This is an application under Section 482 Cr.P.C. for disposing of the present petition in terms of the reply filed by way of affidavit dated 10.07.2022 filed by the Additional Superintendent, Central Jail, Amritsar.

Learned counsel for the applicant has submitted that the main case is pending for 22.08.2022 and has prayed that the same be preponed to today and be disposed of in terms of the reply which has been filed by way of affidavit dated 10.07.2022.

The operative portion of the reply has been highlighted and the same is reproduced hereinbelow:-

“2) That the petitioner has undergone custody of 14 years, 08 months and 25 days including the parole of 02 years 11 months 09 days and so his actual imprisonment comes out to be 11 Years, 09 Months & 16 Days as on 10.07.2022. Total Sentence (including Remission) is 18 years, 01 months & 28 Days. The custody certificate of the petitioner is annexed as Annexure R-1. So, as the

prisoner fulfill the conditions as given in Punjab Government Pre-mature release policy dated 08.07.1991 regarding the completion of actual imprisonment of 10 years and total sentence including remission of 14 years, so his premature release case was initiated by the Office of deponent vide letter No. 3083 dated 18.04.2022 to the Office of District Magistrate, Amritsar i.e. respondent no.4. Letter dated 18.04.2022 is appended as (Annexure R-2). District Magistrate, Amritsar has advised vide their letter No. DM/1/350 dated 16.05.2022 (Annexure R-4) the petitioner has undergone last five Parole leaves without any adverse report and such cases does not require recommendation from District Magistrate under policy 14.12.2017 and to be sent directly to Additional Director General of Police (Prison), Punjab, Chandigarh. The premature release case of the petitioner was sent to Director General of Police (Prisons), Punjab, Chandigarh vide letter No. 6231 dated 08.07.2022 (Annexure R-3) and is under consideration of Director General of Police (jails), Punjab, Chandigarh (Respondent No.2).

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Learned State counsel has submitted that he has no objection in case the main petition is preponed and is disposed of in terms of the reply and the final decision would be taken by the competent authority within a period of six weeks from the date of receipt of certified copy of the present order.

Keeping in view the above said facts and circumstances, the main petition is preponed from 22.08.2022 to today itself for hearing and is disposed of with a direction to the competent authority to dispose of the case of the petitioner finally in terms of the reply dated 10.07.2022 within a period of six weeks from the date of receipt of certified copy of the present order.

(VIKAS BAHL)
JUDGE

July 26, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No