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

CRWP-2709-2022 (O&M)
Date of decision : 28.03.2022

Chinar Lamba @ Shallu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr. Bandana Trikha Sachdev, Advocate for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India praying that premature release case of the petitioner, as per the instructions dated 08.08.2011 (Annexure P-2), be finally decided within a short period.

Learned counsel for the petitioner has submitted that the petitioner was convicted for the offence under Sections 302/34 and 120-B of the Indian Penal Code, 1860 vide judgment dated 15.01.2011 arising out of FIR No.16 dated 01.02.2006 and was sentenced to undergo rigorous imprisonment for life alongwith fine and thereafter, the petitioner had assailed the abovesaid judgment by filing an appeal and the Division Bench had dismissed the same on 24.10.2011. It is further submitted that the petitioner's case meets the necessary conditions to be considered under the said policy and the petitioner's premature release case was sent to Muktsar District Magistrate/SSP vide Dispatch No.9509 dated 26.07.2021 through

Superintendent New District Jail, Nabha but the same is still pending and no final adjudication has been passed in the same.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied at this stage, in case the respondents are directed to consider and decide the case of the petitioner for premature release, in accordance with law, in a time bound manner.

Notice of motion.

On advance notice, Mr. Harpreet S. Multani, AAG, Punjab, appears and accepts notice on behalf of the State and has submitted that in case, the case of the petitioner has already not been decided, then the final decision would be taken within a period of two months from the date of receipt of certified copy of the present order.

Keeping in view the abovesaid facts and circumstances, moreso, the facts that as per the petitioner, his case for premature release was sent to Muktsar District Magistrate/SSP vide Dispatch No.9509 dated 26.07.2021 through Superintendent New District Jail, Nabha, the present Criminal Writ Petition is disposed of with direction to the official respondents to decide the petitioner's premature release case within a period of two months from the date of receipt of certified copy of the present order in accordance with law.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

28.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No