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

CRWP-7010-2022

Date of decision : 21.07.2022

Sukhdev Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mrs. B.P.K. Brar, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of directions to the respondents to initiate and consider the premature release case of the petitioner.

Learned counsel for the petitioner has submitted that in the present case, the petitioner was arrested in case FIR No.72 dated 11.06.2012 registered under Sections 302/307/201/34 of the Indian Penal Code, 1860 and Sections 25/27/30/54/59 of the Arms Act at Police Station Valtaha, District Tarn Taran and was convicted and sentenced to undergo life imprisonment vide judgment dated 26.08.2015 and criminal appeal filed against the same was dismissed vide order dated 31.05.2019. It is further submitted that the case of the petitioner is covered by the Instructions of the Punjab Government dated 04.04.2013 and has further contended that although, the petitioner has issued legal notice dated 11.06.2022 (Annexure P-2) for initiating the premature release case of the petitioner but the respondents have not conveyed any information/order to him.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case, the present Criminal Writ Petition is disposed of with directions to respondent No.3-Superintendent, Central Jail, Amritsar to take a decision on the legal notice dated 11.06.2022 (Annexure P-2) in a time bound manner.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of the State and has submitted that he is fully prepared to argue the matter and assist this Court. He has further submitted that respondent No.3-Superintendent, Central Jail, Amritsar would take a decision on the legal notice dated 11.06.2022 (Annexure P-2) within a period of three weeks from the date of receipt of certified copy of the present order.

Keeping in view the abovesaid facts and circumstances, the present Criminal Writ Petition is disposed of with a direction to respondent No.3-Superintendent, Central Jail, Amritsar to take a final decision on legal notice dated 11.06.2022 (Annexure P-2) in accordance with law within a period of three weeks from the date of receipt of certified copy of the present order. Respondent No.3 would take decision on the same independently of the observations made in the present order and in accordance with law.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

21.07.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No