

CRWP-98-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

220/2

CRWP-98-2023
Date of Decision:-02.06.2023

Pankaj Kumar
.....Petitioner

Versus

The State of U.T. Chandigarh and others
.....Respondents

CORAM: HON’BLE MR. JUSTICEALOK JAIN

Present: Mr. Hoshiar Singh Jaswal, Advocate for the petitioner.
Ms. Vasundhara Dalal Anand, Addl. P.P. U.T. Chandigarh.

ALOK JAIN, J. (Oral)

1. Learned counsel for the parties are *ad idem* that without going into the merits of the case, the matter be disposed of in terms of the order passed by the Hon’ble Supreme Court in case titled as “*Hitesh @ Bavko Shivshankar Dave versus State of Gujarat, in Writ Petition (Criminal) No. 467 of 2022 decided on 24.01.2023*”, where in the matter has been relegated to the competent authority of the State Government to reconsider the matter.

2. Learned counsel for the petitioner vehemently submits that his rights to pursue all the issues raised in the present petition be protected and the present petition be disposed of with a direction to the respondents to re-consider the matter in light of the orders passed by the Hon’ble Supreme Court of India.

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3. After hearing learned counsel for the parties and after going through the judgment passed by the Hon’ble Supreme Court of India in “*Hitesh*” (supra), the present petition stands disposed of, with a direction to the petitioner to submit request for re-consideration of his application for premature release, as per the parameters laid down by the Hon’ble Supreme Court of India and the facts and records of the case which are already in possession with the respondents.
4. Accordingly, the present petition stands disposed of and the respondents are directed to take appropriate fresh decision on application of petitioner expeditiously and preferably within three months from the date of the communication of this order.
5. In case, the respondents fail to adhere to the timeline as mentioned above, strict action be taken against the erring officials, if any delay occurs in decision on application of the petitioner.

(ALOK JAIN)
JUDGE

June 02, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No