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2023:PHHC:041891

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-4373-2022 (O&M)

Date of decision :22.03.2023

AVTAR SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. V.S. Rana, Advocate
for the petitioner(s).

Ms. Navreet Kaur Barnala, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

On 07.12.2022, the following order was passed:-

“The Prayer in the petition under Article 226 of the Constitution of India is for issuance of directions to the respondents to release the petitioner forthwith prematurely as the petitioner has completed his requisite sentence as per Policy Dated 08.07.1991 (Annexure P-1).

The Counsel for the petitioner refers to the reply dated 11.09.2022 to contend that the State has admitted that the case of the petitioner is covered under the premature release policy dated 14.12.2017. The case of the petitioner was sent by the answering respondents to the office of ADGP Prisons, Punjab vide letter No.7294/CT dated 04.12.2020 for consideration. The District Magistrate Barnala had also recommended the premature release of Petitioner. The conduct of the petitioner is also found satisfactory but for the last 02 years no decision has been taken by the answering respondents. He thus contends that they be directed to take an appropriate

decision in accordance with law with in a fixed period of time.

The Counsel for the State has admitted the facts as narrated above.

I have heard Counsel for the parties.

In view of the specific response of the State in para no.6 of the preliminary submissions and para 3 of the reply on merits the answering respondents are directed to decide the case for premature release within a period of 08 from the date of receipt of a certified copy of this order and copy of the order passed by the Authorities concerned be placed on record of this case after due compliance.

List on 22.03.2023 for further consideration.”

The learned State counsel submits that pursuant to the aforementioned order, release warrants of the petitioner have already been issued.

In view of the above, the present petition is disposed of as having been rendered infructuous.

(JASJIT SINGH BEDI)
JUDGE

22.03.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No