

Neutral citation No.:2023:PHHC:074331
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

135

CRM-M-25943-2023
Date of Decision: 22.05.2023

Nirbhay Singh
State of Haryana

Versus

....Petitioner
....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Manish Bansal, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

Aggrieved by the non-considering of almost one year custody in the custody certificate, an under trial has come up before this Court seeking quashing of the order dated 20.09.2021 (P-8).

2. Petitioner's grievance is that in the order dated 20.09.2021, passed by the learned Additional Sessions Judge, Sirsa, the convict's custody has been wrongly considered.

3. Since the custody is a matter of record, as such, only order that would suffice that the competent officer shall compute the custody again and they would not be influenced again by observations made in order dated 20.09.2021 (Annexure P-8). The concerned officer to re-calculate the custody positively by 30.06.2023 and shall communicate the same to the petitioner till 05.07.2023.

4. Petition is partly allowed to the extent mentioned above. It is clarified that while computing the custody even if there are some judicial observations made in this regard, the concerned officer shall not take this into consideration and shall go strictly as per their record. Liberty also reserved to the petitioner approach this Court again, in case, need arises. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.05.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no