



322 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-430-2024(O&M)
Date of Decision:24.05.2024

SUBHASH

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Varinder Singh Rana, Advocate
 for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. Prayer in the present petition is for quashing impugned order dated 11.12.2023 (Annexure P-4) passed by respondent No.1 whereby the prayer for grant of premature release made by the petitioner has been deferred for a period of 1 year despite fulfilling all the conditions of premature release policy dated 08.08.2000(Annexure P-1).
2. Counsel for the petitioner placed reliance upon the judgment passed by the Co-ordinate Bench of this Court in “**Pholu @ Polu Ram Vs. State of Haryana and Others**” in **CRWP-8232-2022** decided on 05.02.2024 and submits that the case of the petitioner is covered under Clause-b of the policy dated 08.08.2000(Annexure P-1) formulated by the State of Haryana with regard to premature release of life convicts.



Counsel for the petitioner further submits that the petitioner will be satisfied if State of Haryana is directed to re-consider the case of the petitioner for grant of premature release in light of the ratio laid down in **Pholu @ Polu Ram's case** and pass an order in accordance with law within a period of six weeks from the date of receipt of certified copy of this order passed by this Court.

3. State counsel has already filed reply by way of an affidavit of Jagjit Singh, Inspector General of Prisons which is available on record. The State counsel is having no dispute with the ratio of law laid down by the Co-ordinate Bench of this Court in **Pholu @ Polu Ram's case (supra)**.

4. The Co-ordinate Bench of this Court while placing reliance upon **Pholu @ Polu Ram's case (supra)**, set aside the order dated 29.11.2023 passed by the competent authority whereby the prayer for grant of premature release of the petitioner therein was deferred for three years, in **CRWP-705-2024 in Amar Singh Vs. State of Haryana and Others** decided on 24.04.2024 and gave direction to State of Haryana to re-consider the case of the petitioner therein afresh in accordance with law.

5. In light of the above, impugned order dated 11.12.2023 (Annexure P-4) passed by respondent No.1 whereby the case of the petitioner seeking his premature release was deferred for a period of one year is set aside and stands quashed. The State of Haryana is directed to re-consider the case of the petitioner within six weeks.

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- 6. The present petition is disposed of in aforesaid terms.
- 7. Pending application, if any, also stands disposed of.

24.05.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

- 1. Whether speaking/reasoned: Yes/No
- 2. Whether reportable: Yes/No