

290 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-455-2024

Date of Decision : May 02, 2024

Surender SinghPetitioner

Vs.

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Khari, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. Advocate General, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Article 226 of Constitution of India read with Section 482 Cr.P.C. is for quashing of the impugned order dated 29.11.2023 (Annexure P-3) passed by the respondent No.1, whereby the prayer for grant of premature release has been deferred for two years despite fulfilling all the conditions of Premature Release Police dated 13.08.2008 (Annexure P-4).

The learned counsel for the petitioner contends that in view of the judgment in the case of **“Pholu @ Polu Ram Vs. State of Haryana and Ors.”** in CRWP-8232-2022 decided on 05.02.2024 and **“Raju @ Rajesh Vs. State of Haryana and Ors.”** in CRWP-2160-2024 decided on 11.03.2024 passed by the Co-ordinate Bench of this Court, the impugned order whereby the case of premature release of the petitioner was deferred for two years could not have been passed.

CRWP-455-2024**-2-**

The State counsel has filed reply by way of affidavit dated 07.03.2024 of Mr. Jagjit Singh, Inspector General of Prisons, Haryana, O/o Director General of Prisons, Haryana, Sector 14, Panchkula in court today which is taken on record and accepts the aforementioned legal position in view of the abovementioned judgments passed by the Co-ordinate Bench of this Court.

In view of the above, the impugned order dated 29.11.2023 (Annexure P-3) stands quashed.

The State of Haryana is directed to re-consider the case of the petitioner for the grant of premature release and pass an order in accordance with law within a period of 6 weeks from the date of receipt of certified copy of the order passed by this Court.

Disposed of .

May 02, 2024
satish

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO