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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2073-2022 (O&M)
Date of decision: 30.01.2024

Dhola SinghPetitioner

Versus

State of Punjab and othersRespondents

CORAM: HON’BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Kunal Vinayak, A.A.G., Punjab.

PANKAJ JAIN, J. (ORAL)

By way of present petition the petitioner is seeking directions to respondents to consider and decide the representation dated 18.02.2022 (Annexure P-4) in a time bound manner.

- 2. Custody certificate filed in Court today is taken on record.
- 3. Learned State counsel on instructions from Gian Singh, Asstt. Superintendent (Prisons), Open Air Jail, Nabha submits that after the petitioner completes the required minimum actual sentence of 9 years his prayer will be considered under the Premature Release Policy and as per the custody certificate filed today the petitioner has undergone actual sentence of 8 years 11 months and 28 days. Meaning thereby, he shall become eligible for consideration after 2 days. The same stand has been taken by the State in its reply, the relevant part of which is as under:-

“xxxx xxxx xxxx

3. *That the pre-mature release of the petitioner will be considered under the Premature Release Policy dated 8/7/91. It is admitted facts that petitioner is confined and is worked in the Open Air Jail Nabha. A Prisoner who is kept and is worked in the Open Air Jail, Nabha is entitled to get one-year extra remission. So, the petitioner is required to undergo 09 years actual or 14 years actual or with remission, under policy dated 08.07.1991.*

xxxx xxxx xxxx”

4. The statement made by learned State counsel satisfies the counsel for the petitioner. This Court is quite sanguine that the State shall abide by the statement given by the Assistant Advocate General in the Court today and shall consider the case of petitioner for premature release within a period of 4 weeks from the day he becomes eligible after putting 9 years of custody.
5. Petition stands disposed off in above terms.
6. Pending application(s), if any, shall also stand disposed off.

(PANKAJ JAIN)
JUDGE

January 30, 2024
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No