

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1801-2024
Date of decision: 28.02.2024

Jasbir Singh

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present criminal writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to release the petitioner prematurely as per the policy dated 08.07.1991 issued by the Government of Punjab (Annexure P-2).

Learned counsel for the petitioner *inter alia* contends that the petitioner has already undergone the requisite period and he is eligible for premature release as per the applicable policy of 1991 (Annexure P-2) and earlier, the petitioner has approached this Court by filing CRWP-408-2020 titled as 'Jasbir Singh Vs. State of Punjab and others' and the said writ petition was disposed of vide order dated 06.12.2021 (Annexure P-1) with a direction to the concerned authority to decide the case of the petitioner within a period of one month. Respondent No.4 has recommended the case of the petitioner for premature release and respondent No.3 has already sent a letter on 03.01.2022

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to the office of respondent No.4 in this regard and he relies upon the ratio of law laid down in 'State of Haryana and others Vs. Jagdish' 2010 (2) R.C.R. (Criminal) 464 in support of his contentions.

Notice of motion.

Mr. Subhash Godara, Addl.A.G., Punjab puts in appearance and accepts notice on behalf of the official respondents-State and submits that the case of the petitioner would be decided within a period of three months in accordance with law.

Having heard learned counsel for the parties and after perusal of the record, the present petition is disposed of with a direction to the competent authority to decide the case of the petitioner in view of the ratio of law laid down in 'Pohlu @ Polu Ram Vs. State of Haryana and others' CRWP No.8232 of 2022 (O&M) decided on 05.02.2024.

However, the petitioner would be at liberty to file representation in this regard and in case, such representation is filed, the same shall be decided within a period of three months in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

28.02.2024
Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No