



CRM-M-2112-2024

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

283-A

CRWP-2112-2024
Decided on: 16.05.2024

Desh Raj @ Desha

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sahil Choudhary, Advocate
 for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA J.

Seeking quashing of the impugned order dated 18.01.2024 passed by respondent No.1, whereby the premature release case of the petitioner has been rejected, petitioner has come up before this Court by filing the present petition under Article 226/227 of the Constitution of India.

2. Notice served upon the official respondents through State counsel.

3. Counsel for the petitioner submits that they are entitled for pre-mature release in view of the policy of the government but the authorities are not adhering to their request.

4. Counsel for the State submits that in the present case, due to inclusion of jail offences, the concerned Committee did not accept to petitioner's request for pre-mature release. On a question raised by this Court, State counsel submits that the petitioner's actual custody is more than 14 years and custody including remission is more than 20 years.

5. Given above, it would be appropriate to direct the concerned Committee to re-



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consider the matter and take a fresh decision by passing a speaking and reasoned order without being influenced by the earlier order dated 18.01.2024. The concerned Committee to make all endeavours to take decision by 30.06.2024 but before 15.07.2024. In case, Committee takes any adverse decision, in that case, order so passed, be also communicated to the petitioner's counsel on his e-mail, which he will provide to counsel for the State today itself, to enable them to avail their other remedies in accordance with law. It is clarified that in case, the concerned Committee did not decide the matter within the time frame, this Court shall take serious note and then the petitioner will be at liberty to approach this Court for interim relief.

6. Petition is partly allowed to the extent mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

16.05.2024
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Whether speaking/reasoned:	Yes
Whether reportable:	No.