



**260 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRWP-3782-2024

Date of Decision: 24.10.2024

SATPAL

... PETITIONER

VS.

STATE OF HARYANA AND ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Rahul Deswal, Advocate
for the petitioner.
Mr. Aashish Bishnoi, DAG, Haryana.

ANOOP CHITKARA , J.(ORAL)

Seeking quashing of order dated 29.11.2023 (Annexure P-5) passed by respondent No.3, whereby prayer for grant of premature release has been wrongly rejected/deferred for 03 years without considering the fact that the petitioner fulfils the conditions mentioned in the premature release policy dated 12.04.2002 (Annexure P-3) and without considering the fact that the same is in-violation of judgment passed by this Court in CRWP-8232-2022 titled as **Pohlu @ Pohlu Ram Vs. State of Haryana and others**, decided on 05.02.2024.

2. Counsel for the petitioner seeks immediate interim release of the petitioner based on the order of Hon'ble the Supreme Court in **Ramji Dubey and others Vs. The State of Uttar Pradesh and another** which reads as follows:-

"Since the petitioners have been in jail for over 20 years, they shall be released on ad interim bail subject to the terms and conditions to be imposed by the Trial Court to its satisfaction."

3. Counsel for the petitioner submits that his case is rejected illegally and as per policy, he is entitled for release. He be permitted to file fresh representation, and the concerned authority be directed to decided the same without any delay.

4. On the other hand, State counsel opposes the petition and refer following paragraphs of reply:-

“After considering the recommendations of the State Level Committee, the Govt. passed the order dated 29.11.2023 that the case for premature release of life convict Satpal son of Dharam Pal be deferred for three years and his case will be re-considered after three years, if otherwise found eligible. Copy of the Govt. order dated 29.11.2023 is already annexed as Annexure P-5 with the writ petition.

In view of the above order, it is clear that the State Level Committee probably wanted to further watch the conduct of the petitioner so that the case of the petitioner will be reconsidered for his premature release. Therefore, the case of the petitioner has been rightly deferred.”

5. In view of the submissions made by both the parties, and taking into all the facts, it would be better in the interest of justice, if petitioner files a fresh representation taking all his grounds within 15 days. If such representation is filed, respondent-State shall take decision on the same within one month from the date of the receipt of such representation. Petition stands disposed of with the aforesaid observations. It is clarified that if the representation is not decided within time frame, in that case, the petitioner is at liberty to initiate contempt proceedings as well as he will be at liberty to ask for interim release. All pending applications, if any, also stand disposed of.

24.10.2024
smriti

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No