

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5001-2023
DECIDED ON: 10.01.2024

JIYA LAL
.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH AND ORS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. H.S. Jaswal, Advocate for the petitioner.

Mr. J.S. Toor, APP, UT for UT Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

The petitioner has challenged the order dated 14.03.2023 (Annexure P-7), whereby his case for premature release has been rejected. He has also sought a direction to respondent No.1 to re-consider his case in terms of the policy/instructions dated 08.07.1991 (Annexure P-2) of the State of Punjab applicable to the UT, Chandigarh.

Learned counsel for the petitioner has produced a copy of instructions dated 21.03.2023 issued by the office of Registrar General, Punjab & Haryana High Court, Chandigarh to all the District & Sessions Judges to examine and consider the cases for premature.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. He asserts that the petitioner is a life convict and has undergone 24 years and 5 months by now, after having earned remissions, but faced with the opposition, he submits that the case of the petitioner will be considered afresh, in the light aforesaid guidelines-instructions.

In the light of above, present petition is allowed and the impugned order 14.03.2023 (Annexure P-7) is set aside. Respondent No.2 is directed to consider the case of the petitioner for premature release afresh after obtaining opinion of the Presiding Officer in terms of the aforesaid guidelines. The needful shall be done within a period of two weeks from the date, the petitioner applies for the said relief.

10.01.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>