



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

Jagjit Singh

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Meenu, Advocate (Through VC)
for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

Seeking directions to official respondents, the petitioner invoking the fundamental right of life guaranteed under Article 226/ 227 of the Constitution of India for issuance of writ in the nature of *mandamus*, has come up before this Court to grant remissions under Chapter XIX of New Punjab Jail Manual, 1996 and remissions announced by Governor of Punjab under various circulars issued from time to time during the period of conviction and confinement of the petitioner, has come up before this Court seeking his release as he has already undergone the sentence awarded to him.

2. Counsel for the petitioner submits that he has already completed his sentence of 12 years in FIR No.120 whereas in FIR No.121, the petitioner has already undergone more than 08 years post conviction and his conduct has been satisfactory. He further submits that in view of various circulars pertaining to remissions as granted by the Governor of Punjab, issued from time to time he is entitled to be released forthwith.

3. Counsel for the State has drawn attention of this Court to reply particularly para no.16(b) and (c) which is reproduced as below:

“(b) The petitioner has already been given the benefit of remissions while he was undergoing the sentence of 12 years RI in case bearing FIR No.120 dated 07.10.2022, under section 15 of NDPS Act, Police Station Sadar Moga was completed on 04.06.2013.

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(c) The contentions raised in this sub-section are vociferously denied. The petitioner is not eligible for any remissions during the sentence in case bearing FIR No.121/08.12.2002.”

4. After arguing for considerable time, counsel for the petitioner submits that he would be contented and satisfied if his case be considered for remission afresh taking in view circular No.9.11.2005 and 15.06.2006 whereby remission was granted by the government, and in view of the ratio of judgment(s) (Annexures P-8, P-9 and P11 to P-13).
5. Given above, let State consider case of the petitioner for remission afresh by taking in view the judgment referred above in para no.4 of the judgment and pass a reasoned order without being influenced by previous order, if any passed.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.10.2024
Sonia Puri

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