

332 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-7621-2023

Date of Decision : February 06, 2024

Pawan

.....Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rahul Deswal, Advocate for the petitioner.

Mr. Rahul Dev Singh, Addl. A.G., Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition filed under Article 226/227 of the Constitution of India read with Section 482 Cr.P.C. is for quashing of the order dated 25.05.2023 (Annexure P-9) passed by respondent No.3, whereby the prayer for grant of pre-mature release of the petitioner has been rejected.

The learned counsel for the petitioner contends that the judgment of the Hon'ble Supreme Court passed in State of Haryana and Others Vs. Jagdish, AIR 2010 SC 1690 has been violated and the case of the petitioner is to be considered for the grant of pre-mature release under the Pre-mature Release Policy, 2008.

The learned State counsel, on the other hand, points out that in the Pre-mature Release Policy, 2008 as well as of the Haryana Prisons Rules, 2022, the petitioner is supposed to undergo at least 20 years without remission and 25 years with remission. The said period not having been undergone by the petitioner, therefore, the case of the petitioner was

rejected.

I have heard the counsel for the parties.

As per the Premature Release Policy, 2008 and Haryana Prisons Rules, 2022, the petitioner is supposed to undergo actual custody of 20 years and 25 years with remissions. The petitioner has not undergone the requisite period.

In view of the above, I find no merit in the present petition and the same stands dismissed.

February 06, 2024
satish

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO