



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

CRWP-8996-2024

Date of decision: 03.10.2024

Chand Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Karandeep, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present criminal writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside of order dated 29.11.2023 Annexure P-1 vide which the premature release case of the petitioner was wrongly rejected by the respondents.

2. The learned counsel for the petitioner argued that petitioner who was convicted and sentenced to life imprisonment by the learned trial Court vide its judgment/order dated 05.09.2009 has already completed total sentence of more than 22 years with remissions and the case of the petitioner is covered under the policy dated 13.08.2008 framed by the State of Haryana for the premature release of convicts. It is further submitted that the case of the petitioner seeking premature release was dismissed by the competent authority vide Annexure P-1 on frivolous ground. It is further submitted that in view of the judgment of this Court passed in CRWP-8232-2022 titled as Pohlu @ Polu Ram Vs. State of Haryana and others decided



on 05.02.2024, the impugned order whereby the case of premature release of petitioner was deferred for two years, could not have been passed.

3. Notice of motion.

4. Mr. Karan Garg, AAG, Haryana, accepts notice on behalf of the State and has produced the custody certificate, which is taken on record. The State counsel has not disputed the aforementioned legal position.

5. It is not clear as to how the State Level Committee carved out an exception against policy dated 13.08.2008 and deferred the case of the petitioner who sought premature release, on completion of 14 years of actual sentence and total sentence of 20 years and 9 months as on the date of passing of the impugned order.

6. In view of the above, the impugned order Annexure P-1 dated 29.11.2023 stands quashed.

7. The State of Haryana is directed to reconsider the case of the petitioner for grant of premature release in the next meeting of the State Level Committee and pass an order in accordance with law.

8. The present petition is disposed of in aforesaid terms.

03.10.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No