



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

**1. CRWP-10189-2023 (O&M)
Reserved on: 06.09.2024
Date of Pronouncement: 27. 09.2024**

RAVINDERBIR SINGH ALIAS RAVIPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

2. CRWP-2665-2023(O&M)

SURJIT SINGHPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

3. CRWP-2710-2023 (O&M)

BALDEV SINGHPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. R.S.Brar, Advocate,
for the petitioner in CRWP-10189-2023

Dr. Bandana Trikha Sachdeva, Advocate,
for the petitioners in CRWP-2665-2023 &
CRWP-2710-2023

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J.

1. Since all the three petitions are arising out of a common issue, therefore, being amenable for common decision, same are taken up together.

2. Through the instant criminal writ petitions filed under Article 226 of the Constitution of India, prayer is made for issuance *mandamus* upon the competent authority of the respondents-State, to consider the case of premature release of the petitioners.

3. In asking for the relief (*supra*), learned counsel for the petitioners submits that the petitioners are eligible to be released prematurely, in view of the policy adopted by the respondents/competent authority.

4. Learned State counsel, on instructions, informs this Court that the Government of Punjab, has constituted a new committee with the approval of Chief Minister-Jails Minister, Punjab, for the purpose of considering all the premature release cases of prisoners, and as per the policy, the committee, is required to meet at least once in a month. The relevant extract of the policy reads as under:-

“In supersession of Government letter No. 12/133/2019 3H7/65 dated 02-02-2021, the Committee to examine all the premature release cases of life convicts has been re constituted with the approval of Hon'ble Chief Minister cum-Jails Minister, Punjab:

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|---|----------|
| 1) Additional Director General of Police (Prisons), Punjab | Chairman |
| 2) Inspector General of Prisons, Punjab; | Member |
| 3) Deputy Inspector General of Prisons, Punjab | Member |
| 4) Representative of Advocate General, Punjab | Member |
| 5) Representative of Ld. L.R., Punjab; | Member |
| 6) Representative of Director Prosecution & Litigation, Punjab; | Member |

1. The Committee will meet at least once in a month. The Committee will consider premature release case and while scrutinizing the premature release cases, the Committee shall keep in mind the below mentioned aspects:-
 - a) All facts and circumstances of the cases.
 - b) Whether case covered in the latest policy or not.
 - c) The reports from field i.e. District magistrate, Senior Superintendent of Police, Jail Superintendent etc.
 - d) Whether Hon'ble High Court has issued any direction in the case?
 - e) The Case of the special remission either by the State Government or with the concurrence of Government of India (Wherever applicable), should be examined carefully and ensure that complete cases are to be put up to the competent authority.
 - f) Although the convict fulfils all the conditions regarding premature release, the Committee shall examine various aspects e.g. gravity of offence committed by the convicts, mitigating factors and special circumstances etc. for his/her premature release, chances of re by the convicts etc.”
5. In view of the above, without going into the merits of the case, a *mandamus* is passed upon the competent authority of the respondents-State, to consider the case of the present petitioners for grant of premature release, in the apt policy.
6. The whole exercise shall be carried within two months from the date passing of this order.
7. **Disposed of** accordingly.
8. All pending application(s), if any also, stand **disposed** of accordingly.

September 27, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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