

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRWP-12291-2023
Date of decision: 08.04.2024

BABU LAL PETITIONER(S)
VERSUS

STATE OF HARYANA AND OTHERS ... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rahul Deswal , Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition is under Article 226 of Constitution of India read with Section 482 Cr.P.C. for quashing of the impugned order dated 29.11.2023 (Annexure P-3) passed by the respondent No.1, whereby the prayer for grant of premature release has been deferred for three years despite fulfilling all the conditions of Premature Release Police dated 13.08.2008 (Annexure P-2).

The learned counsel for the petitioner contends that in view of the judgment in the case of *“Pholu @ Polu Ram Vs. State of Haryana and Ors.”* in CRWP-8232-2022 decided on 05.02.2024 and *“Raju @ Rajesh Vs. State of Haryana and Ors.”* in CRWP-2160-2024 decided on 11.03.2024 passed by the Co-ordinate Bench of this Court, the impugned order whereby the case of premature release of the petitioner was deferred for 3 years could not have been passed.

The State counsel accepts the aforementioned legal position in view of the above-mentioned judgments passed by the Co-ordinate Bench of this Court.

In view of the above, the impugned order dated 29.11.2023 stands quashed.

The State of Haryana is directed to re-consider the case of the petitioner for the grant of premature release and pass an order in accordance with law within a period of 6 weeks from the date of receipt of certified copy of the order passed by this Court.

Disposed of .

(JASJIT SINGH BEDI)
JUDGE

08.04.2024

Kusum

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No