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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 20/2024**

SANDEEP @ SAMMAN

..... Petitioner

Through: Mr. Vikash Kumar & Mr. Rohit
Singh, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Sh. Sanjeev Bhandari, ASC for the
State

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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04.01.2024

CRL.M.A. 200/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 20/2024 & CRL.M.A. 199/2024

3. The instant writ petition under Article 226 and 227 of the Constitution of India, read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been instituted on behalf of the petitioner, seeking issuance of a writ or a direction in the nature of Mandamus or *Certiori* directing the respondents to allow premature release of the petitioner.
4. This Court has gone through the order qua the co-accused(s) *vide* which they were ordered to be released pre-maturely *vide* a detailed order. A perusal of the order *vide* which the prayer for pre-mature release of the



present petitioner has been rejected does not refer to the two reports which became the sole basis for rejection of the prayer of the petitioner.

5. The order is, therefore, unsatisfactory since it does not disclose the reason for rejecting the prayer of the present petitioner, while the co-accused(s) in the same case have been ordered to be released pre-maturely.

6. In these circumstances, this Court deems it appropriate to order that the present petition will be treated as a representation and a direction by this Court to consider afresh, the prayer of pre-mature release, as per law, of the petitioner, which should be decided within three months.

7. This Court is informed that the last meeting of the competent authority /Sentence Review Board took place on 30.06.2023, whereas as per law, the same has to take place every two-three months. In case, that is so, the competent authority/Sentence Review Board is directed to ensure that the meetings are held in time as per law in future and the matters are taken up at the earliest.

8. This case be placed before the competent authority/ Sentence Review Board at the earliest, in the first meeting, which will take place by the Board, and the order be passed referring to and mentioning the report of the police as well as the Social Welfare Board, within a period of three months under intimation to the petitioner herein.

9. Accordingly, the present petition stands disposed of.

10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 4, 2024/sa

[Click here to check corrigendum, if any](#)