

2025:PHHC:052633



148.

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

**CRM-W-454-2025 IN
CRWP-1333-2024**
Date of decision: 24.04.2025

Shanawaz Khan

.... Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Varinder Singh Rana, Advocate, for the petitioner.

Mr. Rahul Mohan, Senior DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-W-454-2025

This is an application for advancing the date of hearing in the main case, which is fixed for 10.07.2025.

Learned counsel for the applicant-petitioner submits that the case of the petitioner is squarely covered by the decisions passed by this Court in CRWP-8232-2022, decided on 05.02.2024 titled as *Pohlu @ Polu Ram Versus State of Haryana and others* (Annexure P-2); CRWP-2201-2024, decided on 30.04.2024, titled as *Shamsher Versus State of Haryana and others* (Annexure P-3); and CRWP-8450-2024, decided on 02.09.2024 titled as *Lallan @ Pankaj Versus State of Haryana and others* (Annexure P-4).

Notice in the application.

Mr. Rahul Mohan, Senior DAG, Haryana, accepts notice on behalf of respondents.

For the reasons mentioned in the application, same is allowed. Hearing of the main case is preponed and the same is taken on board today itself.

CRWP-1333-2024

1. Prayer in this petition filed under Article 226 of the Constitution read with Section 433 of Cr.P.C. is for setting aside the order dated 29.11.2023 (Annexure P-1) passed by respondent No.1 whereby his prayer for being granted premature release has been rejected by the official respondents for a period of three years.

2. Learned counsel for the petitioner submits that the petitioner fulfils the criteria and all the conditions for premature release as contained in Premature Release Policy dated 12.04.2002 and 13.08.2008. Learned counsel for the petitioner has placed reliance upon the orders in CRWP-8232-2022, dated 05.02.2024 (Annexure P-2) and CRWP-2201-2024, dated 30.04.2024 (Annexure P-3) passed by Coordinate Benches of this Court and CRWP-8450-2024, dated 02.09.2024 (Annexure P-4) of this Court whereby it was held that case of premature release of a person could not be deferred in case he fulfilled all the conditions contained in the premature release policy.

3. Learned State counsel does not dispute the legal position in view of the judgments referred to by the learned counsel for the petitioner.

4. Resultantly, the impugned order dated 29.11.2023 (Annexure P-1) is set aside. The State of Haryana is directed to reconsider the case of the petitioner for grant of premature release and pass an appropriate order in accordance with law, in terms of order passed by a Coordinate Bench of this Court in ***Pohlu @ Polu Ram Versus State of Haryana and others in CRWP-8232-2022***, within a period of six weeks from the date of receipt of certified copy of this order.

**(MANJARI NEHRU KAUL)
JUDGE**

April 24, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No