



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2170-2025
DECIDED ON: 18.03.2025

SURTA RAM

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Navdeep Singh, Advocate for
Mr. R.S. Dhull, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari seeking setting aside order dated 14.01.2025 (Annexure P-1) vide which the pre-mature release case of the petitioner was wrongly rejected by the respondents State Level Committee, as its amount to Double Jeopardy and wrong interpretation of the provisions of Pre-mature Policy dated 13.08.2008, by passing illegal, arbitrary and Sisyphean order contending that the petitioner does not deserve any concession of Government at the present state because of factual matrix of the case for which he is convicted and deferred the case adjudication for a further period of one year.

The petitioner has undergone the requisite sentence as per para 2(b) of the policy dated 13.08.2008 and further detention of the petitioner is illegal, violative of Article 14, 16 of the Constitution of India and its amount to Double Jeopardy and required to be released forthwith as per para 2(b) of the Policy dated 13.08.2008 (Annexure P-2) and in view of the judgment passed by this Hon'ble High Court in "*Pohlu @ Polu Ram vs. State of Haryana and Others*" bearing CRWP No.8232-2022 vide order dated

05.02.2024 and in case titled "**Raju @ Rajesh vs. State of Haryana and Others**" bearing CRWP No.2160-2024 vide order dated 11.03.2024.

This Court having perused the impugned order dated 14.01.2025 (Annexure P-1), which do not find merit as the reasoning recorded therein sans confidence and for the reasons recorded therein to the effect that being a convict and sentenced to life imprisonment, his conduct is required for further evaluation and will be reconsidered only after two years.

The said impugned order do not reflect any such reason or conduct of the petitioner which could disentitle him qua the benefit as enshrined in the policy vide para 2(b) dated 13.08.2008 (Annexure P-2) especially in the light of judgment rendered by this Court in CRWP No. 8232 of 2022 titled as "**Pohlu @ Polu Ram versus State of Haryana and others**", decided on 05.02.2024 and CRWP No.2160 of 2024 titled as "**Raju @ Rajesh versus State of Haryana and others**" decided on 11.03.2024.

Notice of motion.

On the asking of the Court, Mr. Chetan Sharma, DAG, Haryana accepts notice on behalf of the respondent-State, who is directed to get the matter re-considered by the competent authority within a period of four weeks from the date of receipt of the certified copy of this order and a speaking order be passed after recording reasons while considering the aforesaid two judgments passed by this Court as well as the policy dated 13.08.2008 (Annexure P-2).

In the light of above assurance given by learned State Counsel that necessary re-consideration of the matter will be made as directed by this Court within a stipulated period, the impugned order dated 14.01.2025 (Annexure P-1) is hereby set aside.

The petition in the aforesaid terms stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

18.03.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No