



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRWP-4038-2023 (O&M)
Date of decision: 14.11.2025

Surajbhan @ Sarju

...Petitioner(s)

VERSUS

State of Haryana and others

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Lajpat Rai Sharma, Advocate for the petitioner(s).

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the order dated 05.08.2022 passed by respondent No.1 whereby the case of the petitioner for premature release has been rejected in an illegal and arbitrary manner as well as in violation of their own Policy for Premature Release dated 12.04.2002 (Annexure P-3) by observing that the punishment awarded to him is imprisonment till his last breath.
2. The observations recorded by the respondent(s) while rejecting the case of the petitioner reads thus:-

“xxxxxxx Thus, the State Level Committee recommends that this life convict does not deserve any concession of Government. After thorough discussion the Committee recommends that the



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*State should respect the Hon'ble trial Court's verdict of life imprisonment and **the case for premature of this life convict be rejected and this life convict shall remain in jail till his last breathe.***

XXXXXXX”

(Emphasis supplied)

3. Learned counsel appearing on behalf of the petitioner contends that the sentence awarded to the petitioner is only that of life imprisonment and not imprisonment till his last breath. Hence, the order passed by the respondent suffers from non-appreciation of the facts and by reading into sentence, what has not been awarded by the competent Court. He submits that under similar circumstances, the order of the respondent-State was set aside by this Court vide judgment dated 10.07.2025 passed in **CRWP-7259-2025** titled as '**Jahid @ Bhura Vs. State of Haryana and others**' by relying on the judgment of the Hon'ble Supreme Court in the matter of '**Union of India Vs. Sriharan @ Murugan**' reported as **(2016) 7 SCC 1**.

4. Learned State counsel is not in a position to dispute that the sentence awarded to the petitioner was life imprisonment and not imprisonment till his last breath and that the said finding recorded, while declining the premature release to the petitioner is actually not borne out from the record. The ratio of the judgment in the matter of **Jahid @ Bhura (supra)** is also not disputed.



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5. Consequently, I find that the order impugned herein suffers from mis-appreciation and mis-reading of trial Court’s judgment and is not corroborated from the same.
6. Therefore, the impugned order dated 05.08.2022 passed by respondent No.1 endorsed on 26/29.08.2022 is hereby **set aside** and the matter is **remanded** to the respondent(s)-authorities for passing a fresh order in accordance with law and after taking into consideration the Policy for Premature Release dated 12.04.2002.
7. The petition is **allowed** in above terms.

(VINOD S. BHARDWAJ)
JUDGE

14.11.2025
Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No