



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

CRWP-8509-2024

DECIDED ON: 10.01.2025

AZAD

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Anoop Singh Sheoran, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Petitioner – Azad, aged 29 years, has filed present petition for issuance of direction to respondent No.3 i.e. Deputy Superintendent, District Jail, to decide the representation dated 02.06.2024 filed by him, for premature release.
2. Counsel for the petitioner contends that he is a life convict in case FIR No.42 dated 25.02.2010 under Sections 364-A, 392 I.P.C. and 25 of the Arms Act, registered at Police Station Bhondsi, District Gurugram. He was convicted and sentenced on 14.07.2011 by the Court of Additional Sessions Judge, Gurugram, and thereafter, has completed more than 14 years of actual sentence period.
3. By relying upon a policy dated 08.08.2000, petitioner submitted a representation for his premature release, and since, same was not decided, present petition has been filed.

4. On 03.09.2024, this Court has passed following order:-

“This petition has been filed under Article 226, 227 of Constitution of India for issuance of a writ in nature of certiorari to issue direction to respondent No. 3 to decide the representation filed by the petitioner on dated 02.06.2024 for premature release of the present petitioner.

Notice of motion.

Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of the respondent-State. He seeks time to file reply/written response. A copy of the petition be supplied to him during the course of the day.

Adjourned to 30.09.2024.

Reply/written response be filed well in advance with copy to the opposite counsel.”

5. Thereupon, status report dated 28.09.2024 was filed by the respondent – State of Haryana, wherein paragraph No.2, it is mentioned that representation dated 02.06.2024 for premature release has already been decided by the respondents, by passing a speaking order No.4834 dated 06.09.2024 (Annexure R-1), whereby, same has been rejected being devoid of merits, at this stage.

6. Faced with the situation, counsel for the petitioner seeks withdrawal of the present petition, to avail an appropriate legal remedy available to him, or to challenge the impugned order, if so advised, in accordance with law.

7. In view of the statement made by counsel for the petitioner, present petition stands dismissed as withdrawn, with the liberty as sought and recorded here above.

(SANJAY VASHISTH)
JUDGE

10.01.2025
Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>