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

+ W.P.(CRL) 2168/2025
SURENDER PRASAD SINGHPetitioner
Through: Ms. Madhu Rani, Advocate.

versus

STATE (GOVT OF NCT OF DELHI)Respondent
Through: Mr. Sanjeev Bhandari, ASC (Crl.) for
the State.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER

% **18.08.2025**

1. Petitioner herein seeks quashing of the order passed in Minutes of Sentence Review Board (SRB) Meeting dated 04.12.2024 and issuance of a writ in the nature of Mandamus, directing the respondent to grant pre-mature release in criminal case arising out of FIR No. 421/1984 for the alleged offences under Sections 302, 396, 395, 449, 436, 147, 149 IPC, registered at Police Station Delhi Cantt..
2. Succinctly, the petitioner's case is that he was convicted by this Court, in Criminal Appeal no. 6/1992, in the said FIR No.421/1984 vide judgment dated 27.08.2008 and sentenced to undergo life imprisonment, along with concurrent sentences and fines. He was sentenced to undergo Rigorous Imprisonment (RI) for 1 year and a fine of Rs.1000/- under Section 147 IPC and in default of payment of fine, to further undergo RI for 2 months. He was also sentenced to rigorous imprisonment for 7 years and



fine of Rs. 5000/- under Section 449 r/w 149 IPC in default of payment of fine, to further undergo RI for 6 months. He was further sentenced to undergo Rigorous Imprisonment for 5 years and fine of Rs. 5000/- under Section 436 r/w 149 and in default of payment of fine, to further undergo RI for 6 months. Furthermore, he was sentenced to undergo Rigorous Imprisonment for life and fine of Rs.10,000/- under Section 302 r/w Section 149 IPC. He was also sentenced to undergo rigorous imprisonment for life and fine of Rs.10,000/- under Section 396 and lastly, he was sentenced to undergo Rigorous Imprisonment for 5 years and fine of Rs.5000/- under Section 395 IPC and in default of payment of fine, to further undergo RI for 6 months.

2.1 The petitioner was acquitted by the Ld. ASJ in SC no.12/1988 vide judgement dated 31.10.1990, however in Criminal Appeal No. 6/1992 before this Court, the petitioner was convicted vide judgement dated 27.08.2008.

2.2 The petitioner is 78 years old, suffering from various old age ailments in need of proper care and treatment, and falls under the category of senior citizen. He is eligible under clause 3.4 of Remission policy dated 16.07.2004, for consideration of premature release of life convicts, who have completed 14 years of actual incarceration or less in cases involving terminal illness or old age.

2.3 The petitioner has undergone more than 19 and a half years, in custody including remission. Despite this, the petitioner's name was considered for premature release by the SRB on several occasions, however, his case was rejected each time, citing the gravity and circumstances of the offence.



2.4 During his custody, the petitioner has consistently maintained good conduct in jail and has been granted furlough and parole on multiple occasions, and no adverse record has ever been noted against him, even during periods when liberty was granted on several occasions.

3. Issue notice. Learned ASC for the State accepts notice.

4. At the very outset, he submits that he has perused the petition, the advance copy of which was duly served on him, and further submits that with respect to the grievance regarding non-consideration of the petitioner's case by the SRB, the matter shall now be placed before the forthcoming Board meeting, wherein an appropriate decision shall be taken in accordance with law.

5. In view of the aforesaid, no further proceedings before this Court are warranted. However, in the parting, I may hasten to add that it is expected of the competent authority to pass a speaking order, in the event it is not inclined to accept the petitioner's request, so as to enable him to pursue such remedies as may be available to him in accordance with law.

6. Furthermore, it is expected that the Jail Superintendent shall take appropriate steps to ensure that the petitioner's case is placed expeditiously before the forthcoming meeting of the Sentence Review Board, so that a decision, as indicated above, may be taken.

7. Let the copy of this order be sent to the Jail Superintendent concerned for information and compliance.

8. The petition is disposed of accordingly.

ARUN MONGA, J

AUGUST 18, 2025/rs/nk