

2024.PHHC.161491



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

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CRWP-512-2020 (O&M)
Date of decision : 14.01.2026

Abdul Latif**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. R. S. Bains, Senior Advocate with
Mr. Inderpal Singh, Advocate
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Neha Sharma, Advocate for respondent No. 4-UOI.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking issuance of direction to respondent No. 3 to forward his application dated 21.04.2016 (Annexure P-3/T) for his premature release to respondent No.1 and also for considering the same in terms of the policy of the State of Punjab issued on 08.07.1991 (Annexure P-2).

2. As submitted in the petition, the petitioner had been booked in CBI case bearing No. RC-1(S) 2000/SK IV, New Delhi dated 11.01.2000 and had been held guilty and convicted for commission of offences punishable under Section 4 of the Anti Hijacking Act, Sections 302, 307, 242, 467, 506 of IPC and Section 25 of the Arms Act read with Section 120-B of IPC by the Court of learned Sessions Judge, Patiala on 05.02.2008. He had filed an

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appeal against his conviction, which had been dismissed by this Court, vide judgment dated 25.02.2014 passed in ***CRA-D-292-DB-2009***. He had then filed an appeal before the Hon'ble Supreme Court, which is still pending.

3. Two separate replies have been filed on behalf of respondents No. 1 to 3 on 15.03.2019 and 15.02.2021, respectively. Thereafter, an affidavit dated 31.03.2025 has also been filed exclusively on behalf of respondent No. 3. A conjoint perusal of these documents reveals that the application of the petitioner seeking premature release, which is subject matter of this petition, had been rejected by the Govt. of Punjab, Department of Home, Jails, vide order No. 1/127/2019-5G7/233 dated 07.11.2019. Subsequently, the premature release case of the petitioner was again considered and the same had been forwarded by respondent No. 3 on 21.03.2025 for police verification report from the District Authorities at Patan. In response thereto, the District Magistrate, vide report dated 25.03.2025, had not recommended for premature release of the petitioner. The case of the petitioner has been forwarded to the Additional Director General of Police, (Prisons) Punjab, Chandigarh on 30.03.2025, which is still pending for further action.

4. The above narrated facts show that the prayer made by the petitioner in the present petition has become infructuous and there can be a fresh cause of action, if his claim is again rejected by the authorities concerned.

5. Faced with the same, learned senior counsel for the petitioner submits that the present petition may be disposed of at this stage. However, a

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direction may be issued to the authorities concerned to decide the case of the petitioner expeditiously.

6. Keeping in view the aforementioned facts, the present petition is disposed of. The respondents-authorities are directed to decide the case of the petitioner for his premature release in accordance with law expeditiously, preferably within a period of three months from today.

7. The petitioner is granted liberty to file a fresh petition, if so required.

14.01.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No