



CRWP-4250-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-4250-2025
Decided on: 03.02.2026

Krishan

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Atul Bhardwaj, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.(Oral)

1. Present criminal writ petition has been filed under Articles 226 and 227 of the Constitution of India read with Section 528 of the BNSS, seeking issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 15.01.2025 (P-4), passed by the learned Additional Chief Secretary to the Government of Haryana, Jails Department, whereby the claim of the petitioner for premature release has been denied. The said order is assailed as being arbitrary, biased, and contrary to the prevailing policy dated 12.04.2002 (P-2).

2. Upon hearing learned counsel for the parties on 29.04.2025, notice was issued while observing as under:

“1. Prayer in the present petition under Article 226/227 of the Constitution of India read with Section 528 of BNSS, is for issuance of writ in the nature of certiorari for quashing of impugned order dated 15.01.2025 (Annexure P-4) passed by Addl. Chief Secretary to Govt. of Haryana, Jails Department for



denial of premature release of the petitioner which arbitrary, biased, against the prevalent policy dated 12.04.2002 (Annexure P-2) as applicable in the case of the petitioner and against Article 14 of the Constitution of India.

2. *The petitioner is a convict in a case under Section 302 IPC for committing murder of his wife by pouring kerosene oil upon her and setting her ablaze on 30.03.1998.*

3. *While releasing the petitioner on premature release, respondents have observed in order dated 14.01.2025 (Annexure P-4) as under:-*

“xxx xxx xxx

4. The State Level Committee considered the entire facts of the case with due diligence Detailed deliberations were held. The State Level Committee has observed that this life convict had committed-crime in most cruel, ghastly and barbaric manner, as he had burnt the victim alive, the State Level Committee has recommended that this life convict does not deserve any concession of Government at this stage. Being convicted and sentenced to life imprisonment his conduct is required to be further evaluate. After thorough discussion, the State Level Committee has recommended that the case for premature release of this life convict be rejected and his case will be reconsidered after one year. xxx xxx xxx”

4. *Counsel for the petitioner argues that this is not within the domain of respondents to go to the facts to examine the nature of offence, however, there is already a list of notified cases, wherein, certain offences have been included under the definition of serious offences/heinous crime. Thus, the order impugned herein is not sustainable.*

5. *Notice of motion.*

6. *Mr. Kanwar Sanjiv Kumar, AAG, Haryana, accepts notice on behalf of respondent – State. Let*



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reply be filed by appending the relevant policies of the government at the time of incident. List on 08.07.2025.”

3. Learned State counsel, assisted by the Deputy Superintendent Officer, DC Prisons Haryana, Panchkula, produces a copy of the order dated 29.01.2026 and submits that the relief claimed by the petitioner in the instant petition has already been extended to him, therefore, present writ petition stands disposed of accordingly.

4. A copy of the order dated 29.01.2026, pertaining to the relief granted to the petitioner, is taken on record. Registry is directed to tag the same at the appropriate place in the paper-book.

5. Learned counsel for the petitioner also submits that the petitioner has since been released; accordingly, present petition is rendered infructuous and is disposed of as such.

6. Ordered accordingly.

(SANJAY VASHISTH)
JUDGE

03.02.2026
Rashmi

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO