

(1983) 01 P&H CK 0036

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 431 of 1982

Jangir Singh

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 06-01-1983

Acts Referred:

Citation : (1983) 1 RCR(Criminal) 480 : (1983) 1 RCR(Criminal) 479

Hon'ble Judges : S.S.Dewan, J

Advocate : D. S. Keer, V.K. Jindal, Advocates for appearing Parties

Judgement

A.S. Bains, J.

1. The petitioner was convicted for the offence under section 302, Indian Penal Code, and was awarded death sentence by the Sessions Judge, Ferozepur on 18th July, 1974, before the coming into force of section 433A of the Code of Criminal Procedure His death sentence was committed to that of Imprisonment for life by the President of India. He has undergone more than 13 years of imprisonment, including remissions. It is settled law that in case of the person convicted before the coming into force of section 433A of the Code of Criminal Procedure, the old Law will apply and the provisions of section 433A shall have no retrospective effect and that their premature release is to be considered by the State Government after they have. undergone 14 years of imprisonment, including the remissions. Accordingly it is directed that the State Government shall consider the case of the petitioner for his premature release within two months from today. If his case is not considered within the aforesaid period, then he will be released on bail by the Chief Judicial Magistrate, Ferozepur.

JUDGMENT accordingly.