
(2023) 02 P&H CK 0084

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No.1584 Of 2023

Mulakh Raj @ Mulkhu

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 21-02-2023

Acts Referred:

Citation : (2023) 02 P&H CK 0084

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Sandeep Verma, Virat Rana

Final Decision : Disposed Of

Judgement

Anoop Chitkara, J

The present petition has been filed seeking issuance of a writ in the nature of mandamus directing the official respondents to release the petitioner prematurely, as he has undergone actual custody of 13 years. Counsel for the petitioner submits that respondent No.3 did not recommend his premature release inspite of premature release policy dated 08.07.1991

Notices served upon the official respondent(s) through the State's counsel. Learned counsel for the State has opposed the present petition on the ground that the jurisdiction of this Court qua premature release is only restricted to arbitrariness.

At this stage, counsel for the petitioner submits that he would be contended and satisfied in case, he may be permitted to file fresh application for premature release and concerned Superintendent of Jail is directed to decide the same within time bound manner.

The prayer is genuine.

Given above, the present petition is disposed of with the liberty to the petitioner

to file fresh application for premature release within 15 days from today before the concerned Superintendent of Jail, who shall decide the same within two months from the date of its filing by passing a reasoned and speaking order without being influenced by the previous rejection, if any.

Liberty reserved to the petitioner to come to this Court again in case need so arises.