2025:PHHC:143124

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-3836-2025 (O&M)
Date of decision: October 15, 2025

Ramji

….Petitioner

versus

State of Punjab and others

….Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Deepak Verma, Advocate for the petitioner.

Mr. Gurpartap S. Bhullar, AAG Punjab.

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SUMEET GOEL, J. (ORAL)

1. Petitioner was convicted by the Learned Additional Sessions Judge, Nawanshahar, under section 302 read with section 34 of the IPC and was awarded sentence to undergo Life Imprisonment, in Sessions Case No.66 of 1998, emanating from FIR No.92, dated 16.10.1997, under Sections 302, 392, 397 of IPC, registered at Police Station Nawanshahar, Punjab. The appeal filed by the Petitioner against his above-mentioned conviction and sentence, before this Court bearing Criminal Appeal No.439-DB of 1999, was dismissed vide Judgment dated 28.08.2008.

2. The present Criminal Writ Petition under articles 226/227 of the Constitution of India has been preferred by the petitioner for a direction to the respondent – authorities for grant of premature release in view of notification dated 08.07.1991 (Annexure P-3) issued by the Government of Punjab and

the Pre-Mature Release Policy, 2017 dated 14.12.2017 (Annexure P-4) on ground of the petitioner having undergone total sentence of 17 years 7 months 28 days (including parole) and 25 years 7 months 28 days (including remissions) till 12.03.2024.

3. Learned counsel for the petitioner has contended that petitioner's claim for pre-mature release falls squarely within the ambit and operation of notification dated 08.07.1991 (Annexure P-3) and the Pre-Mature Release Policy, 2017 dated 14.12.2017 (Annexure P-4) promulgated by the Government of Punjab—It is further contended that the impugned orders vide which the prayer for pre-mature release has been denied, is fundamentally flawed for being *sans* any reasoning for such denial. Learned counsel has asserted that the respondent-authorities have failed to discharge their duty by not undertaking a due and proper consideration of the material facts and relevant evidence presented in support of the petitioner's claim, thereby rendering the impugned orders as unsustainable in the eyes of law. On these grounds, the release of petitioner has been entreated for.

4. Learned State counsel, while raising submissions in tandem with the reply dated 07.07.2025 filed on behalf of the State, has submitted that the case of petitioner for premature release was forwarded to District Magistrate, Shaheed Bhagat Singh Nagar, vide letter No.3346 dated 27.05.2022. The same was recommended by District Magistrate, on 24.08.2022, where after, the same was sent to office of Additional Director General of Police (Prisons) on 31.08.2022. The case was returned by ADGP (Prisons) on 12.09.2022 for want of copy of Judgment passed against the petitioner. The case of petitioner was again sent to ADGP (Prisons) on 26.10.2022 with copy of said

Judgment. But the case was again returned by ADGP (Prisons) on 02.11.2022 with a direction to get the opinion of Presiding Judge. Then the case of petitioner was again sent to ADGP (Prisons) on 02.02.2023. But as the case of petitioner was not covered under section 432 of the Cr.P.C., the ADGP (Prisons) again returned the case on 16.02.2023 for want of copy of Judgment passed by Sessions Court. Thereafter, the case of petitioner was again sent to ADGP (Prisons) on 16.05.2023, but was again sent back by ADGP (Prisons) on 01.06.2023 while seeking opinion report of the Presiding Judge. The case of petitioner was again sent on 31.07.2023 with requisite documents to the ADGP (Prisons). Thereafter, the case of petitioner was finally sent by the ADGP (Prisons) Punjab to the Government of Punjab on 08.12.2023 for consideration. It is further submitted that the case of petitioner seeking premature release from prison is finally stated to have been considered and rejected under section 432 of Cr.P.C. (now Section 473 of BNSS, 2023), vide order dated 17.12.2024 (Annexure P-7). Relevant portion of the aforesaid reply reads thus:

> "*3. That it is submitted that the petitioner namely Ram Ji S/o Gulzari Lal, resident of village Saloh, P.S. City Nawanshahr, District Shaheed Bhagat Singh Nagar was convicted and sentenced to undergo RI for Life and to pay fine of Rs.2,000/- and in default of payment of fine to further undergo RI for Six months in case FIR No 92, Dated 16.10.1997, U/S 302/392/397/34 IPC, P.S City Nawanshahr, District Shaheed Bhagat Singh Nagar by the Learned Court of Sh. Harbans Lal, Additional District and Sessions Judge, Shaheed Bhagat Singh Nagar on 04.08.1999. Further, the petitioner had filed an appeal bearing 'CRA-439-DB-1999' in this Hon'ble Court against the judgement of trial court which was dismissed by the Hon'ble High Court on 28.08.2008. The petitioner was re-admitted in Central Jail, Ludhiana on 10.12.2011 by the orders passed by Learned Court of Sh. K.K Cheema, Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar after dismissal of his appeal.*
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> *4. That as per the instructions of the Government, regarding premature release of convict, the Premature Release Case of the petitioner is covered under clause 'C' of para No.1(1) of premature release policy dated 08.07.1991. As per the policy, a life convict prisoner has to*

undergo 10 years of actual imprisonment and 14 years of imprisonment with remission. After the petitioner became eligible, his Premature Release Case was initiated by the deponent and the same was forwarded to District Magistrate, Shaheed Bhagat Singh Nagar vide letter No. 3346 dated 27.05.2022 of the office of deponent for recommendation and police verification report. The Pre-mature Release Case of the petitioner was recommended by District Magistrate, Shaheed Bhagat Singh Nagar vide his office letter No.550/Reader/D.C dated 24.08.2022. After receiving the report of District Magistrate, Shaheed Bhagat Singh Nagar, the case of the petitioner was sent to office of the Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter No. 3475 dated 31.08.2022 for consideration and further necessary action. The case of the petitioner was returned by the office of the Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter no G.I/J-6/7893 dated 12.09.2022 with direction to send copy of judgment passed by this Hon'ble Court. Thereafter, the case was again sent to the Additional Director General of Police (Prisons), Punjab, Chandigarh vide letter No.7163 dated 26.10.2022 alongwith the copy of judgment passed by this Hon'ble Court. But, the case of the petitioner was again returned by the office of Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter No.G.I/J-6/9963 dated 07.11.2022 with direction to get opinion of Presiding Judge. Moreover, the case was again sent to office of Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter No. 483 dated 02.02.2023 for consideration and further necessary action. As the case of the petitioner was not covered under 432 Cr.P.C, therefore it was again returned by the office of Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter no. G.I/Welfare Branch/V-4/1137 dated 16.02.2023 with direction to send judgment copy of Ld. Sessions Court. Furthermore, after obtaining the copy of judgement passed by Learned Sessions Court, the case was again sent to the Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter No. 2047 dated 16.05.2023 and same was returned by the office of Additional Director General of Police (Prisons) Punjab, Chandigarh vide letter no. G.I/Welfare Branch/V-4/2564 dated 01.06.2023 with direction to get opinion report of Presiding Judge. Thereafter, the case was again sent to the Additional Director General of Police (Prisons), Punjab, Chandigarh vide letter No. 5121 dated 31.07.2023 alongwith opinion of presiding judge and other relevant record which was further sent by the office of Additional Director General of Police (Prisons), Punjab, Chandigarh to the Government of Punjab vide letter No. G.I/Welfare Branch/V-4/6143 dated 08.12.2023.

5. *That thereafter, the case of the petitioner was sent to the Learned Court of Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar by deponent vide letter No.2399 dated 14.03.2024 for consideration of release of petitioner on interim bail till the decision of Pre-mature Release Case as per orders passed by Hon'ble High Court Chandigarh in COCP-2020-2022 titled as Pawan Kumar Vs D.K Tiwari and others. As per order dated 16.04.2024 passed by Learned Court of Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, the petitioner was released on interim bail on 16.04.2024 till decision of his pre-mature release.*

6. *That thereafter, the Government of Punjab, Department of Home Jails) (Home-7 Branch) vide Endst. No. 1/38/2024- 2G1/324 Dated, Chandigarh 17.12.2024 passed the order regarding premature release of petitioner, in which it was mentioned that the matter was put up*

before Hon'ble Chief Minister of Punjab U/s 432 of Cr.PC., 1973 (now section 473 of BNSS, 2023). The competent authority Hon'ble Chief Minister of Punjab on perusing the complete record on file, and on considering objections of Committee established to perusing cases of life convicts for premature release, and on perusing other facts of the case, rejected the premature release case of life convict Ramji S/o Gulzari Lal, Central Jail Ludhiana, under section 432 of Cr.P.C. (now section 473 of BNSS, 2023). The true translated copy of order dated 17.12.2024 is annexed herewith as Annexure R/T-1.

7. That after the premature case of the petitioner was rejected by the Government of Punjab, Jails Department, the deponent vide letter no.01 dated 01.01.2025, requested the Learned Court of Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar for cancellation of bail bonds of petitioner and the copy of the same was forwarded to District Magistrate, Shaheed Bhagat Singh Nagar, Senior Superintendent of Police, Shaheed Bhagat Singh Nagar and Station House Officer, City Nawanshahr for re-arresting the petitioner and to admit him to jail to undergo the remaining portion of his sentence. A copy of the same was also forwarded to the petitioner to surrender in jail for undergoing unexpired portion of the sentence. But the petitioner has neither surrendered in jail nor been re-arrested by police authorities till date."

5. I have heard the learned counsel for the parties and have gone through the entire case record carefully.

6. A bare perusal of the sequence of events as narrated in the aforesaid reply filed by the State depicts a sordid state of affairs at the end of the respondent-authorities while evaluating and adjudicating the case of petitioner for premature release in terms of policies regulating the same, as issued by the Government of Punjab. The several rounds of exchange of communications between the prison authorities and the ADGP (Prisons), Punjab before putting up the case for consideration lays bare a lackadaisical approach of the authorities towards the cause of the petitioner. The case of petitioner for consideration of the authorities regarding premature release was initiated by Jail Authorities on 27.05.2022 and finally could be forwarded to the competent authority only on 08.12.2023 after a lapse of more than 1-½ years. Not only this, the competent authority further passed a cryptic order without due application of mind to the relevant material through an objective

reasoning—only on 17.12.2024, while taking a year to pass such order. Furthermore, a perusal of impugned order dated 17.12.2024 reveals that the same has been passed by the authorities with a notion that the premature release of the petitioner from prison requires subjective satisfaction. The said inference on part of the State is liable to be rejected, being fallacious.

6.1. It is pertinent to note herein, that in their reply to the instant criminal writ petition, no serious objection to the pleadings of the petitioner has been raised by the respondent-authorities. Instead the contents of reply by way of Affidavit of Superintendent, Central Jail, Ludhiana filed on behalf of the respondents shows that none of the averments made on behalf of the petitioner has been denied specifically. Moreover, in para No.8 of the reply on merits, it is clearly admitted that the premature release case of the petitioner is covered under clause 'C' of para no.1(1) of Premature Release Policy dated 08.07.1991. However, despite the said admission it is simply stated in the reply that the present Criminal Writ Petition filed by the petitioner is liable to be rejected as his premature release case has been declined by the Government.

7. Perusal of impugned order dated 17.12.2024 shows that the same has been passed on the ground that the Presiding Judge and the committee established for perusing cases of life convicts for premature release have objected to the same. There is no objective independent assessment on part of the statutorily recognized competent authority—qua the entitlement of petitioner for premature release. No circumstances or material that weighed with the Presiding Judge or the Committee, has been made part of the impugned order dated 17.12.2024, enabling this court to adjudge its legality

or veracity, in the light of policies for premature release of prisoners issued by the Government.

8. The Policies for premature release of prisoners as issued by the State from time to time, laying down tangible criteria therein to adjudge the suitability and entitlement of the prisoners for consideration in the realm of their premature release, cannot be rendered empty formality. The said policies framed by the State, with certain parameters, laid down therein for consideration of the request of a convict for his premature release, being in the sphere of subordinate legislation, binds the actions of respective authorities in that regard and every determination by the authorities ought to be made strictly within the precincts of the policy(s) so formulated. The petitioner, being convict, entitled to be considered for premature release in terms of said policies, possess the legitimate expectation of being treated fairly in terms of said policies. Any deviation from the criteria laid down in said policies on part of State, while considering the case of petitioner, is liable to be deprecated. It does not behove the authorities, in view of these policies, to summarily reject the case of petitioner without adverting to the terms of said policies. Petitioner's plea for premature release under Policy dated 08.07.1991 (Annexure P-3), is entitled to be considered after undergoing actual imprisonment of 14 years and 20 years imprisonment with remission. It is an admitted fact on part of the respondent State, as mentioned earlier in para 8 of its reply on merits, that the case of petitioner is covered by the said criteria mentioned in that Policy.

9. Interestingly, the said policy itself lays down that it is not necessary for the convict to submit his petition on completion of the required

number of years of actual imprisonment. The IG Prisons, is statutorily saddled with the liability to send the case of the concerned convict to Government on or after the eligibility date which would then obtain the report of the District Magistrate and take appropriate decision. The law with regard to the applicability of the said policy for adjudicating the claim of the petitioner for premature release is well settled. The Hon'ble Supreme Court of India in a case titled as ***Sharafat Ali v. State of Uttar Pradesh***, ***2022 (13) SCC 186*** has held as under:

> "*The first principle which must be noted, while adjudicating upon the petition is that the application for premature release has to be considered on the basis of the policy as it stood on the date when the petitioner was convicted of the offence. This principle finds reiteration in several judgments of this Court such as State of Haryana & Ors. v. Jagdish, (2010) 4 SCC 216. The most recent of them is the decision in State of Haryana and Others v. Raj Kumar @ Bitu, (2021) 9 SCC 292.*"

Despite the above condition stipulated in the policy, for automatic consideration of the case of convict, upon meeting the criteria, laid down of term of imprisonment undergone, no prompt action was taken by the respondent-authorities in that regard. Rather, the lackadaisical approach on part of the respondent-authorities while considering the case of petitioner, by unnecessarily lingering on the matter, under the garb of repeated exchange of communications amongst themselves, has failed the cause of petitioner under the said policy. A perusal of impugned order dated 17.12.2024 shows that the claim of the petitioner for premature release has been rejected solely on the basis of the reports furnished by the Presiding Judge and Committee formulated for the purpose. The impugned order dated 17.12.2024 does not spell out the reasons of the competent authority of its own for rejecting the claim of the petitioner. The material made available to the Presiding Judge

and the Committee for formulating their opinion in the matter are not forthcoming in the impugned order dated 17.12.2024. The report of the Presiding Judge and the Committee cannot be made sole basis for passing the impugned order by the State. The Hon'ble Supreme Court of India while dealing with the relevance and import of the opinion of the Presiding Judge, in construing the entitlement of convict for premature release, in case of ***Rajo @ Rajwa @ Rajendra Mandal v. State of Bihar, 2023(4) RCR (Criminal) 370*** held as under:

> "*The views of the presiding judge, are based on the record, which exists, containing all facts resulting in conviction, including the nature of the crime, its seriousness, the accused's role, and the material available at that stage regarding their antecedents. However, post-conviction conduct, particularly, resulting in the prisoner's earned remissions, their age and health, work done, length of actual incarceration, etc., rarely fall within the said judge's domain. Another factor to bear in mind, is that the presiding judge would not be the same presiding judge who had occasion to observe the convict (at a much earlier point in time) and thus form an opinion. The presiding judge, at this stage, would only look into the record leading to conviction. This judicial involvement in executive decision making is therefore, largely limited to the input it provides regarding the nature of the crime, its seriousness, etc. Undoubtedly, even at the stage of sentencing, the judge ideally is to exercise discretion after looking at a wide range of factors relating to the criminal and not just the crime; but as noticed in numerous precedents that have dealt with sentencing in the commission of heinous crimes, this is unfortunately, often not the reality. Guidance has been offered by this court on how to mitigate this in recent years, but in this court's considered view, it is pragmatic to acknowledge that it will require time for our criminal justice system to incorporate, and uniformly reach such standards. In fact, earlier cases of conviction (such as the present one - in 2001), have an even lesser probability of a judicial record which reflects consideration of such multi-dimensional factors at the sentencing stage; the lack of which should not serve as an obstacle to the convict seeking release (after serving almost two decades, or more), erasing the reformative journey they may have undertaken as a result of their long incarceration.*"

10. The impugned order by dint of its contents cannot by any stretch of imagination be termed as a speaking order, objectively divulging the factors that weighed with the respondent-authorities while rejecting the case of the petitioner for premature release. The respondent-authorities, while acting under the executive authority, are bound to pass a reasoned order

thereby clearly spelling out the factors that weighed with them while rejecting the claim of the petitioner qua premature release. It is well settled proposition of law that an executive action must be informed by reason and objective satisfaction must be the basis for an executive decision. The respondent-authorities, are required to act in a bonafide manner and not arbitrarily, especially when the impugned order is affecting substantial rights of the petitioner, prejudicially. The petitioner has a legitimate expectation of being treated in a reasonable and fair manner before passing the impugned order against the petitioner. The necessity for an administrative or quasi judicial determination to be a speaking order—one that unequivocally sets forth the foundations for its conclusion—is not a mere procedural nicety; it is the unshakable cornerstone of natural justice and the very essence of the rule of law. The provision of cogent and discernible reasons constitutes the very *ratio decidendi*—the heart and soul—of any authoritative mandate. An order bereft of this intellectual scaffolding is rendered legally unsustainable in the eye of law, decaying into a mere *ipse dixit*, which the law considers as an anathema to accountability. The order appears to be *inscrutable face of a sphinx* passed by the administrative or quasi judicial authority affecting the rights of an individual. A profitable reference in this regard, can be made to the *dicta* of a Constitutional Bench of the Hon'ble Supreme Court in a case titled as ***S. N. Mukherjee*** versus ***Union of India***, ***1990 AIR Supreme Court 1984***, relevant whereof reads thus:

> "*35. Reasons, when recorded by an administrative authority in an order passed by it while exercising quasi-judicial functions, would no doubt facilitate the exercise of its jurisdiction by the appellate or supervisory authority. But the other considerations, referred to above, which have also weighed with this Court in holding that an administrative authority must record reasons for its decision are of no less significance. These*

> *considerations show that the recording of reasons by an administrative authority serves a salutary purpose, namely, it excludes chances of arbitrariness and ensures a degree of fairness in the process of decisions-making. The said purpose would apply equally to all decisions and its application cannot be confined to decisions which are subject to appeal, revision or judicial review. In our opinion, therefore, the requirement that reasons be recorded should govern the decisions of an administrative authority exercising quasi-judicial functions irrespective of the fact whether the decision is subject to appeal, revision or judicial review. It may, however, be added that it is not required that the reasons should be as elaborate as in the decision of a Court of law. The extent and nature of the reasons would depend on particular facts and circumstances. What is necessary is that the reasons are clear and explicit so as to indicate that the authority has given due consideration to the points in controversy. The need for recording of reasons is greater in a case where the order is passed at the original stage. The appellate or revisional authority, if it affirms such art order, need not give separate reasons if the appellate or revisional authority agrees with the reasons contained in the order under challenge.*
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> *xx xx xx xx*
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> *38. The object underlying the rules of natural justice "is to prevent miscarriage of justice" and secure "fair play in action." As pointed out earlier the requirement about recording of reasons for its decision by an administrative authority exercising quasi judicial functions achieves this object by excluding chances of arbitrariness and ensuring a degree of fairness in the process of decision-making. Keeping in view the expanding horizon of the principles of natural justice, we are of the opinion, that the requirement to record reason can be regarded as one of the principles of natural justice which govern exercise of power by administrative authorities. The rules of natural justice are not embodied rules. The extent of their application depends upon the particular statutory framework where under jurisdiction has been conferred on the administrative authority. With regard to the exercise of a particular power by an administrative authority including exercise of judicial or quasi-judicial functions the legislature, while conferring the said power, may feel that it would not be in the larger public interest that the reasons for the order passed by the administrative authority be recorded in the order and be communicated to the aggrieved party and it may dispense with such a requirement. It may do so by making an express provision to that effect as those contained in the Administrative Procedure Act, 1946 of U.S.A. and the Administrative Decisions (Judicial Review) Act, 1977 of Australia whereby the orders passed by certain specified authorities are excluded from the ambit of the enactment. Such an exclusion can also arise by necessary implication from the nature of the subject matter, the scheme and the provisions of the enactment. The public interest underlying such a provision would outweigh the salutary purpose served by the requirement to record the reasons. The said requirement cannot, therefore, be insisted upon in such a case.*
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> *39. For the reasons aforesaid, it must be concluded that except in cases where the requirement has been dispensed with expressly or by necessary implication, an administrative authority exercising judicial or quasi-judicial functions is required to record the reasons for its decision.*"

This obligation of passing a speaking order, assumes an even more profound *gravitas* when the decision impinges upon the sacrosanct

fundamental right to personal liberty. Consequently, any authority adjudicating a matter such as a parole must meticulously adumbrate the factual and legal predicates for its resolution. The insistence on recording reasons in such a matter, serves a dual and critical purpose: *firstly*, it fulfills the principle that justice must not only be done but must manifestly and undoubtedly seem to be done, thereby fostering public confidence, and; *secondly*, a salutary and indispensable restraint against the arbitrary or capricious exercise of power, thus, ensuring the enduring supremacy of law.

Article 21 of the Constitution of India enshrines the inviolable right to personal liberty, which cannot be abrogated or curtailed except in accordance with the procedure established by law. However, through a catena of judicial pronouncements, it has been firmly entrenched in constitutional jurisprudence that such procedure must not be illusory or mechanical, but must, in its essence or operation, conform to the touchstone of fairness, reasonableness and non-arbitrariness. In this constitutional backdrop, it becomes incumbent upon State-authorities, while adjudicating upon the claim of an individual for pre-mature release, to act in adherence not only to the principles of natural justice but also to the higher constitutional mandate flowing from Article 21 of the Constitution of India. The exercise of such statutory or administrative discretion must, therefore, be informed by reason, guided by relevant considerations and culminate in a reasoned and speaking order reflecting due application of mind. An order bereft of cogent reasoning or passed in a mechanical manner would be antithetical to the constitutional ethos of fairness in administrative action and would render the decision unsustainable in the eyes of law.

11. There is one more aspect of the matter which craves attention of this Court at this stage. The adjudication of pre-mature release involves consideration of various factors.

The Hon'ble Supreme Court of India in the case of ***State of Haryana v. Jagdish, 2010(2) RCR (Criminal) 464***, has laid down the following factors to be considered while deciding the case of premature release of a prisoner:

> "*At the time of considering the case of pre-mature release of a life convict, the authorities may require to consider his case mainly taking into consideration whether the offence was an individual act of crime without affecting the society at large; whether there was any chance of future recurrence of committing a crime; whether the convict had lost his potentiality in committing the crime; whether there was any fruitful purpose of confining the convict anymore; the socioe-conomic condition of the convict's family and other similar circumstances.*"

Perusal of the impugned order dated 17.12.2024 while rejecting the case of the petitioner for premature release from prison shows that none of the above factors have been considered and discussed while passing the said order.

12. Before parting with this order, a seminal aspect of the *lis* in hand craves attention. In discharging its adjudicatory functions, particularly those having an affect upon the sacrosanct right of personal liberty of an individual, the State-authorities must act with dispatch and diligence. Concerning the slumber on part of respondent authorities, this Court finds itself compelled, to deprecate the protracted official torpor and their discernible unwillingness to discharge their solemn responsibilities in a timely and conscientious manner. The case at hand is an un-rooting illustration of lack of due diligence, reflective of an apathetic approach. Such a lethargic conduct can be curbed only if the Courts, across the system, adopt an institutional approach which

penalizes such comportment. The imposition of costs, is a necessary instrument, which has to be deployed to weed out, such an unscrupulous conduct. *Ergo*, this Court deems it appropriate to saddle the respondent authorities with costs, which indubitably ought to be veritable and real time in nature.

13. In view of prevenient ratiocination, it is ordained thus:

(I) The impugned order dated 17.12.2024 (Annexure P-7) is set aside and the present Criminal Writ Petition is disposed of by remitting the matter back to the respondents with a direction to decide entitlement of the petitioner for premature release, in accordance with law, by passing a fresh reasoned and speaking order, within a period of four weeks from the date of receipt/ production of copy of this order.

(II) The State of Punjab is saddled with costs of Rs.25,000/-, which shall be paid to the Punjab State Legal Services Authority within two weeks from today.

(III) The Home Secretary, Punjab is directed to file compliance-affidavit(s), in terms of the directions made hereinabove, within six weeks from today, with the Registrar General of this Court, failing which he may invite punitive consequences (as per law) for himself as also other concerned functionaries.

(IV) Pending application(s), if any, shall stand disposed of.

(SUMEET GOEL)
JUDGE

October 15, 2025
mahavir
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No