



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

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**CRWP No.7693 of 2024  
Date of decision : 20.8.2025**

**Ashwani Kumar****.....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. R.S. Dhull, Advocate, for the petitioner

Mr. Vishal Singh, AAG, Haryana

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**SUMEET GOEL, J. (ORAL)**

1. The substantive prayer made in the present petition reads thus:
  - i. *Issuing writ in the nature of certiorari for quashing of the speaking order dated 27.6.2024 passed by the Superintendent District Jail, Karnal (Annexure P-1), vide which respondent No.4 declining to grant premature release to the petitioner namely Ashwani Kumar son of Joginder Singh, as the action of respondent No.4 amount to Double Jeopardy and wrong interpretation of the provisions as the respondent no.4 does not have any power to decide the premature release cases and respondent no.4 is merely the initiating authority for such applications and the applicable policy on the petitioner is that of 13.08.2008 considering the conviction of the petitioner being of the year 04.12.2009 and falls under para 2 (b) of the premature policy dated 13.08.2008 (Annexure P-2) which is to be forwarded to the competent authorities for further consideration of the case matter which the respondent no.4 has failed to abide by and considering the judgment of the Hon'ble High Court in CRWP No.8232 of 2022 titled "Pohlu Ram vs. State of Haryana and Others" vide order dated 05.02.2024 whereby relevant and necessary observations qua the present aspect has been made, for which necessary*



*prayer is being made for quashing through the present petition, in the interest of justice, equity and fair play.*

*ii. Further issue a writ in the nature of mandamus directing the respondents/State to grant Premature Release to the petitioner on usual terms and conditions; and holding that further detention of the petitioner has become violative of articles 14, 19 & 21 of the Constitution of India, as he entitled to be released pre-mature on the basis of the para 2 (b) of policy dated 13.08.2008 under article 161 of Haryana Govt. on terms and conditions after completion of 14 years actual sentence and for grant of all consequential reliefs, In the interest of justice and fair play.'*

2. Learned State counsel is not averse to the above prayer.
3. Learned counsel for the petitioner, after arguing for some time submits that the petition in hand may be disposed of by directing the State Level Committee for Pre Mature Release to take a decision upon the plea of the petitioner within a time bound manner.
4. Having heard learned rival counsel for the parties and upon perusal of the record, this Court deems it appropriate to dispose of the petition in hand by directing the State Level Committee for Pre Mature Release to take a ratiocinated decision on the petition, latest within 4 weeks from today.
5. Ordered accordingly.

**(SUMEET GOEL)**  
**JUDGE**

**20.8.2025**

*Ashwani*

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No