

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1) No(s).5480/2011

(From the judgement and order dated 01/02/2011 in CRLWP No.1959/2010 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF HARYANA & ANR

Petitioner(s)

VERSUS

JAI PRAKASH @ BILLU

Respondent(s)

(With appln(s) for stay and exemption from filing c/c of the impugned order and stay of contempt proceedings and office report)

WITH SLP(Cr1) NO. 5783 of 2012

(With appln.(s) for stay and office report)

Date: 10/12/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr.P.N.Mishra, Sr.Adv.

Mr.Harikesh Singh, Adv.

Mr. Kamal Mohan Gupta, Adv.

For Respondent(s)

Mr. Sunil Fernandes, Adv.

Mr.Deepak Pathak, Adv.

Ms.Astha Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(Cr1.) No.5480 of 2011

This petition is directed against order dated 01.02.2011 by which the learned Single Judge of the Punjab and Haryana High Court directed the competent authority to dispose of the premature release case of the respondent within a period of one month from the date of the receipt of the certified copy of the order.

Learned counsel for the respondent fairly submitted that as on the date of the impugned order, his client was not eligible for premature release. He further submitted that now the respondent has completed 20 years in prison and, therefore, his case may be considered for premature release.

In view of the statement of the learned counsel for the respondent, the special leave petition is disposed of with the direction that as and when the respondent or his authorised representative makes an application before the concerned authority/body for premature release, the same shall be disposed of in accordance with law within a period of six weeks without being influenced by the observations contained in the impugned order.

SLP(Cr1.) No.5783 of 2012

This petition is directed against order dated 16.03.2012 by which the learned Single Judge of the Punjab and Haryana High Court directed the competent authority to dispose of the premature release case of the respondent within a period of one month from the date of the receipt of the certified copy of the order.

Learned counsel for the respondent fairly stated that as on the date of the impugned order, his client was not eligible for premature

release. He further stated that now the respondent has completed 20 years in prison and, therefore, his case may be considered for premature release.

In view of the statement of the learned counsel for the respondent, the special leave petition is disposed of with the direction that as and when the respondent or his authorised representative makes an application before the concerned authority/body for premature release, the same shall be disposed of in accordance with law within a period of six weeks without being influenced by the observations contained in the impugned order.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master