

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

Writ Petition(s)(Criminal) No(s).335/2024

ANAND KUMAR SINGH

Petitioner(s)

VERSUS

THE STATE OF JAMMU AND KASHMIR

Respondent(s)

(FOR ADMISSION)

Date : 08-11-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYANFor Petitioner(s) Mr. Ranjeet Kumar, Adv.
Mr. Simanta Kumar, Adv.
Mrs. Jaya Kiran, Adv.
Ms. Jyoti Singh, Adv.
Mr. Ajay Chand Sharma, Adv.
Mr. Piyush Dwivedi, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. The chief controversy in the present case pertains to the petitioner's prayer for premature release. He is a life convict under Section 302 of the erstwhile Ranbir Penal Code and Section 30 of the Arms Act, 1959.

2. It seems from the facts on record that the petitioner was serving in the Central Reserve Police Force (CRPF) in the year 2006. He had taken leave to go home to attend his younger sister's marriage, but it is claimed that some senior officials scolded him in front of the whole battalion. It further seems that the petitioner got so infuriated with this berating, that he shot dead three Sepoys, including a senior officer. The occurrence took place

on 03.04.2006, and the petitioner was arrested on the same day. In this manner, the petitioner has spent over 18 years or so in custody.

3. The petitioner's prayer for premature release is being opposed by the State counsel on the solitary ground that there is no policy framed by the State for premature release on the basis of the period of incarceration. It seems to us that such a ground may not be tenable, as the formulation of policy falls within the exclusive domain of the State and, therefore, the Union Territory of Jammu & Kashmir is well advised to formulate an appropriate policy.

4. We, consequently, direct the Chief Secretary of the Union Territory to take up the matter with the Competent Authority for taking a policy decision as may be deemed fit by the Competent Authority. A compliance report in this regard be submitted by the State counsel thereafter.

5. Post the matter on 03.01.2025.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR