

**Dhyan Singh Vs. State of U.P.**

**Dhyan Singh Vs. State of U.P.**

**SooperKanoon Citation :** [sooperkanoon.com/647142](http://sooperkanoon.com/647142)

**Court :** Supreme Court of India

**Decided On :** Oct-20-1986

**Reported in :** 1986Supp(1)SCC694

**Judge :** B.C. Ray and; M.P. Thakkar, JJ.

**Appeal No. :** Writ Petition (Criminal) No. 280 of 1986

**Appellant :** Dhyan Singh

**Respondent :** State of U.P.

**Judgement :**

B.C. Ray and; M.P. Thakkar, JJ.

1. It appears that the petitioner's son is in jail since April 9, 1964, and is undergoing a sentence of imprisonment for life imposed on him by the competent court. It would appear from the averments made in the petition that he has remained in jail for more than 22 years without taking into account the remission. The period already spent is long enough to entitle him to avail of the provisions for securing his premature release as per the relevant rules. Though a notice was issued to the State Government and it has been served, learned counsel for the State is not in a position to furnish the necessary details. He is not even in a position to say whether the facts stated in the petition are true or whether his case was considered by the competent authority. We would have straightway proceeded to direct the State Government to release him but for the fact that we

are not sure whether the averments made in the petition are correct. Under the circumstances, we direct the State Government to consider the case of the convict, Dhyan Singh, for premature release, within four weeks from today and pass appropriate orders by a reasoned order in any case within eight weeks from today. We would impress upon the State Government the necessity to consider the case of the convict with expedition and pass appropriate orders in view of the facts and circumstances of the case and the fact that the convict's mother is about 90 years of age. The respondent shall place on record the outcome of the proceedings by filing a note before January 13, 1987. In case the convict is not released latest by December 20, 1986, the matter will be listed before this Court on January 13, 1987 upon learned counsel for the petitioner filing a note in this behalf if convict is not released. If the convict has already been released and no note is filed before January 13, 1987, the writ petition will stand disposed of.

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**