

Karni Dan Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Apr-04-1990

Reported in : 1990WLN(UC)51

Judge : M.C. Jain, Actg. C.J. and; R.S. Verma, J.

Appeal No. : D.B. Civil Writ Petition (Habeas Corpus) No. 1079 of 1990

Appellant : Karni Dan

Respondent : State of Rajasthan

Disposition : Petition allowed

Judgement :

R.S. Verma, J.

1. The petitioner is serving sentence on having been convicted for the offence Under Sections 302, 394, 448, IPC and Section 27 of the Arms Act.

2. Admittedly, the petitioner has served sentence for a period of 11 years and 3 months and he has been granted remission of 4 years and 4 months. The total period of his custody, therefore, comes to 15 years 5 months and 16 days as stated in the Schedule annexed with the return. The petitioner's case has become fit for consideration by the Advisory Board has not so far been constituted. In these circumstances, we think it proper to directed the respondents to constitute the

Advisory Board and further to directed that the petitioner case be considered by the-Advisory Board within period of three months failing which it would be appropriate to allow the petitioner to be released on bail.

3. Accordingly, this writ petition is allowed and the respondent State is directed to get the petition's case considered by the Advisory Board within three months by constitution of the Advisory Board. In case the petitioner's case is not considered by the Advisory Board with a period of three months, it is directed that the petitioner-be released on bail on his furnishing a personal bond in the sum of Rs. 5,000/- with two sureties in the sum of Rs. 2,500/- to the satisfaction of the Superintendent, Central Jail, Jodhpur.

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