

07-09-2021
ct no. 13
Sl.76
sp

WPA 18407 of 2019
Sayed Darain Ahsan @ Darain
-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Mr. Phiroze Edulji,
Ms. Rajnandini Das,
Ms. Aishwarya Chatterjee
...for the petitioner

Mr. Sabir Ahmed
....for the State respondents

The writ petitioner has applied before the Chief Probation Officer under the provisions of Section 51 of the West Bengal Correctional Services Act, 1992, for remission and/or premature release.

The writ petitioner has been serving sentence for life for the offences, inter alia, under Section 302 of the IPC. The writ petitioner has completed 19 years of such sentence.

Counsel for the State Mr. Sabir Ahmed submits that the writ petitioner's application was once considered in the year 2018 and rejected. Mr. Ahmed further submits that in changed circumstances, the writ petitioner's case could be considered in terms of the directives of the National Human Rights Commission.

In that view of the matter, the respondent no.5 shall send the writ petition itself as a

representation before the Sentence Review Board constituted under the aforesaid Act of 1992 for appropriate consideration within a period of 15 days from date.

Upon the Board receiving the said writ petition and/or application, the same may be disposed of in accordance with law. The said application may be convened in the next three scheduled meetings of the Board.

Orders that may be passed by the Board, may be communicated to the writ petitioner's counsel within 7 days thereof.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)