

Ct. 05
Item No.20
16.02.2023
(Suvendu)

WPA 2037 of 2023

Bina Halder Ray
Vs.
The State of West Bengal and Ors.

Mr. Soumyajit Das Mahapatra
Mr. Aniruddha Bhattacharya
Mr. Oishik Chatterjee
.....for the petitioner

Mr. Debasish Ghosh
Mr. Prantik Gorai
....for the State

The petitioner's husband has been in custody since 2010. The petitioner has approached this Court for parole of her husband on the ground that the petitioner's mother-in-law is due to undergo a surgery. The petitioner's representation dated 23.12.2022 is on record.

The State is represented.

Section 62 of the West Bengal Correctional Services Act, 1992 empowers the Inspector General of Correctional Services to release a prisoner sentenced to imprisonment for a period of two years or more on certain conditions.

The objection raised on behalf of the State with regard to conduct of the petitioner's husband during an earlier parole is noted.

However, this Court is of the view that the Inspector General should take a considered decision under Section 62 of the 1992 Act by responding to the representation made by the petitioner in December, 2022.

The Inspector General shall decide on the representation within a period of two weeks from today. Since documents have also been placed showing the condition of the petitioner's mother-in-law, there should be no delay in taking a decision in the matter as directed.

WPA 2037 of 2023 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)