

05.06.2023
Court No.13
Item No.4
AP

WPA 2472 of 2023

**Tarak Nath Das and Anr.
Vs.
The State of West Bengal and Ors.**

Mr. Allen Felix

... For the petitioners.

Mr. Santanu Kumar Mitra
Ms. Anandamayee Ghosh

... For the State.

1. The petitioners seek for mandamus on the Governor and/or Councilor of Ministers for pardon, reprieve, respite or remission under Article 161 of the Constitution. The petitioner No.1 is sentenced to life imprisonment in a Sessions Trial No.54(04) 2013 arising out of Sessions Case No.84/2008 under sections 498A/302 of the IPC.

2. The petitioners have not annexed any such representation or prayer made to the Governor and/or the Councilor of Ministers.

3. Learned counsel for the State has produced the instructions of the Presidency Correctional Home dated 18th May, 2023 and the same is taken on record.

4. It appears that the petitioner No.1 has already served 11 years 4 months and 5 days as on 18th May, 2023. His earlier prayer for premature release was considered under Rule 591 of the West Bengal Jail Code Rules and rejected.

5. This Court finds no reason to interfere in the matter.

6. Hence, the writ petition is dismissed.

7. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)