

04.10.2023

Sl no. 53

Ct no. 2

P.M.

WPA 27223 OF 2022

Laldeo Kumar Das

- Vs -

The State of West Bengal & Ors.

Mr. Jayanta Narayan Chatterjee,
Mr. Debashis Banerjee,
Mr. Supreem Naskar,
Ms. Jayashree Patra

... for the petitioner

Mr. Suman Sengupta,
Mr. Saikat Chatterjee

... for the State

Heard learned advocates appearing for the
respective parties.

This writ petition has been filed by the nephew
of the life convict who is suffering sentence and it is
the case of the petitioner that the convict has already
suffered sentence for more than nineteen years and
has been on parole on several occasions and there is
no allegation of any violation of the parole rule
against the petitioner and he has participated from
time to time in different cultural programmes also.

Petitioner prays that the case of the convict
Krishna Das, may be considered for early release
after considering his character and behaviour during
the sentence.

Petitioner submits that for the aforesaid early
release he has already made a representation before
several authorities including the Home secretary,

Department of Home, Government of West Bengal, on 15th November, 2022 being annexure P/5 to the writ petition which is still pending. In support of the case of the petitioner he has also relied an unreported decision of this Court dated 24th August, 2022 in the case of co-convict Shyam Das – Vs – The State of West Bengal & Ors. (WPA 5596 of 2021) who has already been directed to be released by the authority concerned.

Considering the facts and circumstances of this case and submission of the parties this writ petition being WPA No. 27223 of 2022 is disposed of by directing the Home Secretary, Department of Home, Government of West Bengal to consider and dispose of the aforesaid representation of the petitioner dated 15th November, 2022 in accordance with law and by passing a reasoned and speaking order after considering the aforesaid unreported decision of this Court in the case of co-convict Shyam Das (supra) within a period of six weeks from the date of communication of this order which will be served upon the aforesaid authority, by the petitioner along with a copy of this writ petition within a week from date.

Leave is granted to the Advocate-on-record of the petitioner to implead Home Secretary, Department of Home as a party respondent.

(Md. Nizamuddin, J.)