

Srl. No.21
24.01.2024
SB-III
SH

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1862 of 2023

**Akalu Paswan
-versus
The State of West Bengal & Ors.**

**Mr. Pradeep Kumar Mittal
Mr. Sandip Guha Roy
... for the petitioner.**

**Mr. Momenur Rahman
... for the State.**

The petitioner has been convicted and is suffering life sentence. The life sentence of the petitioner stood affirmed by the Hon'ble Division Bench on September 28, 2005.

Learned advocate representing the petitioner submits that his client is in custody for more than 25 years. Prayer has been made by the petitioner for remission of his sentence.

The petitioner's prayer was taken up for consideration by the State Sentence Review Board, West Bengal for consideration of pre-mature release of life convicts on July 14, 2021 and his prayer stood rejected on the ground that pre-mature release of the life convict may cause breach of peace as opined by the police authorities. The relatives of the victim are apprehensive about the repetition of such crime.

The petitioner relies upon the order passed by the Hon'ble Supreme Court in the matter of Rashidul Jafar

@ Ghota v. The State of Uttar Pradesh & Anr. and in the matter of Ramji Dubey & Ors. v. The State of Uttar Pradesh & Anr. annexed at pages 20 & 21 of the writ petition.

The Court is not convinced with the submission made on behalf of the petitioner. Genuine reasons have been mentioned for not accepting the prayer of the petitioner for pre-mature release.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)