

07. 26.09.2025
Court No.22.

(Pritam)

WPA 22786 of 2025

Swapan Malla.

-Vs.-

State of West Bengal & Ors.

Mr. Kallol Mondal, Sr. Adv.,
Ms. Sucheta Mitra,
Mr. Sreyash Kumar Singh.

....for the petitioner.

Mr. Amitabrata Ray, Ld. GP.,
Mr. Suman Sengupta, Sr. Adv.,
Mr. Soumen Chatterjee.

....for the State.

1. Affidavit-of-service filed in court today be kept with the record.
2. Heard learned advocates for the respective parties at length.
3. Upon perusal of writ petition, it appears that the writ petitioner is a convict, who is languishing in jail for more than 21 years 7 months and 18 days. The conduct is found to satisfactory as it appears from the Conduct Certificate of the Superintendent, Midnapore Central Correctional Home, Paschim Midnapore annexed at p-2 of this writ petition.
4. Considered such conduct of the petitioner, the prolonged period of detention and the relevant Rules of West Bengal Jail Court relating to remission. The learned advocate representing the petitioner relies on

the following three judgments of the Hon'ble Supreme Court;

- (i) Satish @ Sabbe vs. State of Uttar Pradesh reported in (2021) 14 SCC 580;
- (ii) Shor vs. State of Uttar Pradesh & Anr. reported in (2021) 14 SCC 820;
- (iii) Laxman Naskar vs. Union of India & Ors. reported in (2000) 2 SCC 595.

5. At the time hearing, the prayer for remission of sentence and conduct of the petitioner, namely, Swapan Malla may be considered sympathetically for the ends of justice.
6. The writ petition is accordingly disposed of with a direction upon the authorities to consider the prayer of petitioner for remission of sentence after treating the writ petition as a representation within a reasonable period, preferably within three months from the date of the order.
7. The writ petition being WPA 22786 of 2025 is accordingly disposed of.

(Uday Kumar, J.)