

24.09.2025
SL No.69
Court No.550
(gc)

WPA 23097 of 2025

**Hafajuddin Mia
Vs.
The State of West Bengal & Ors.**

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Dipanjan Dutt,
Mr. Surojit Saha,
Mr. Soumodip Ghosh
...for the Petitioner.
Mr. Pantu Deb Roy, A.G.P.,
Mr. Pannalal Bandopadhyay
...for the State.

1. The State Legal Services Authority, West Bengal, has filed the present writ petition on behalf of the life convict namely, Hafajuddin Mia, who was convicted by the learned Additional Sessions Judge, 2nd Court, Birbhum in connection with Mahammad Bazar PS Case No.23/95 dated 18.03.1995, S.T. No.2 of May, 2000 under Sections 302/34 IPC. He has undergone imprisonment more than 23 years for premature release.
2. The petitioner has prayed for pre-mature release of the life convict since the guidelines prescribed by the National Legal Services Authority as well as Hon'ble Apex Court are not being followed by the respondent authorities.
3. I have gone through the National Legal Services Authority's Standard Operating Procedure on

the process of Premature Release, Parole and Furlough of Prisoners, 2002 and also Section 61(2) of the West Bengal Correctional Services Act, 1992.

4. In view of the direction of the Hon'ble Supreme Court, the State should not wait for convict's application for premature release and should take appropriate steps periodically.
5. It prima facie appears that it is not followed in this matter.
6. Accordingly, the respondent authorities are directed to consider the prayer of the convict/petitioner, Hafajuddin Mia, in accordance with the relevant guidelines and laws as mentioned above and to pass appropriate order in connection with the prayer of the said convict.
7. The life convict be informed of this order through the State Legal Services Authority, West Bengal accordingly.
8. It is true that his prayer for premature release was refused by the State Sentence Review Board on earlier occasion. However, considering his period for detention and also the fact that the correctional authority has submitted a fresh conduct report, the respondent authorities are directed to re-consider his prayer for premature

release of the petitioner in accordance with the guidelines mentioned above and Section 61(2) of West Bengal Correctional Services Act, 1992.

9. The order dated 9th October, 2023 passed by the State Sentence Review Board is hereby set aside.
10. With this direction, the present writ application being WPA 23097 of 2025 is disposed of.
11. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.
12. All parties shall act on the server copy of this order.

(Apurba Sinha Ray, J.)