

WPA 3112 of 2025

**Bijoy Mukherjee & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Kanishk Sinha

... .. for the Petitioner

Mr. Sk. Md. Galib

Ms. Priyamvada Singh

... .. for the State

1. The petitioners have approached this Court complaining of delay on the part of the Respondent State Authorities in taking decision on the petitioner no. 1's request for premature release of the petitioner no. 1, a convict, despite the State Sentence Review Board, West Bengal (hereinafter "the said Board") having recommended the petitioner no. 1's case for premature release.
2. Mr. Sinha, learned Advocate appearing for the petitioners invites the attention of this Court to an order dated March 04, 2024 passed by a Coordinate Bench of this Court in WPA 2428 of 2024 and submits that earlier the petitioner's case for premature release had been rejected by the said Board. Challenging such rejection, the petitioners had approached this Court by filing WPA 2428 of 2024 whereupon this Court had set aside the decision of the said Board and directed the respondent authorities to ensure

that the said Board reassembles at the earliest to reconsider the application of the petitioner no.1 for premature release on appropriate yardsticks as indicated in the said order dated March 05, 2024 and the National Human Rights Guidelines which cover the field.

3. It is submitted that in terms of the said order the said Board reassembled on April 04, 2024 and recommended the petitioner's case for premature release as would be apparent from paragraph 4 of the minutes/record of proceedings of the special meeting held by the said Board on the said date i.e. April 04, 2024.
4. Learned Advocate appearing for the respondent State authorities hands up to Court a copy of the instructions dated September 10, 2025 forwarded to the said learned Advocate by the Officer-in-Charge, Law Cell, Directorate of Correctional Services, West Bengal and submits that the recommendation of the said Board has been forwarded to the appropriate authority of the Government for the purpose of getting approval.
5. Having heard the learned counsel appearing for the respondent authorities and having considered the material-on-record, this writ petition is disposed of by directing the respondent State authorities to take appropriate

decision as regards the recommendation of the said Board for premature release of the petitioner no. 1, in accordance with law ,as early as possible and preferably within a period of six weeks from the date of communication of this order.

6. WPA 3112 of 2024 stands disposed of.
7. It is clarified that this order shall not be treated as this Court having expressed any opinion on the recommendation of the said Board and the appropriate authority shall be free to take its own decision strictly in accordance with law.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Om Narayan Rai, J.)