

GAHC010229622025



2026:GAU-AS:9422

THE GAUHATI HIGH COURT

[THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM & ARUNACHAL PRADESH]

WP(C)/6283/2025

Ganesh Bhumij @ Faloo Karmakar, S/o- Lt. Lalu Karmakar, resident of Pithaguri T.E No.10 Line, Borbam, P.S. - Tingkhong, District - Dibrugarh, Assam, presently logged at District Jail, Diphu, Karbi Anglong-782460

.....Petitioner

VERSUS

1. The State of Assam represented by the Chief Secretary, Government of Assam, Assam Secretariat, Dispur, Guwahati, Assam - 781006.
2. The Additional Chief Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
3. The Commissioner and Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.

4. The State Level Review Board under the ASSAM Prisons Act, 2013, represented by its Member Secretary I.E. the Secretary Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
5. The Legal Remembrancer –cum- Commissioner and Secretary to the Government of Assam, Judicial Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
6. The Inspector General of Prisons, Assam, Assam Prison Headquarters, Khanapara, Guwahati, Assam - 781022.
7. The District Commissioner, Dibrugarh, office of the District Commissioner, Dibrugarh, Assam - 786003.
8. The Superintendent of Police, Dibrugarh, office of the Superintendent of Police, Dibrugarh Assam - 786001.

.....Respondents

WP(C)/524/2026

Holiram Bordoloi, son of Lt. Medhiram Bordoloi, resident of Village - Gakhajua Gaon, P.S. Mikirbheta, District – Morigaon, presently lodged at Special Jail Nagaon - 782003.

versus

1. The State of Assam represented by the Chief Secretary, Government of Assam, Assam Secretariat, Dispur, Guwahati, Assam - 781006.
2. The Additional Chief Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
3. The Commissioner and Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
4. The State Level Review Board under the ASSAM Prisons Act, 2013, represented by its Member Secretary I.E. the Secretary Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
5. The Legal Remembrancer –cum- Commissioner and Secretary to the Government of Assam,

Judicial Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.

6. The Inspector General of Prisons, Assam, Assam Prison Headquarters, Khanapara, Guwahati, Assam - 781022.
7. The District Commissioner, Morigaon, office of the District Commissioner, Morigaon, ASSAM - 782105.
8. The Superintendent of Police, Morigaon, office of the Superintendent of Police, Morigaon, Assam – 782105.
9. The Superintendent Special Jail, Nagaon, Haibargaon Fauzdaripatty, Nagaon, Assam 782001.

.....Respondents

WP(C)/5946/2025

Samsul Miya, son of Md. Jahun Uddin, resident of Village – Keotopara, P.S. Barpeta, District – Barpeta, Assam, presently lodged at District Jail Barpeta - 781314.

VERSUS

1. The State of Assam represented by the Chief Secretary, Government of Assam, Assam Secretariat, Dispur, Guwahati, Assam - 781006.
2. The Additional Chief Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
3. The Commissioner and Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
4. The State Level Review Board under the ASSAM Prisons Act, 2013, represented by its Member Secretary I.E. the Secretary Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
5. The Legal Remembrancer –cum- Commissioner and Secretary to the Government of Assam, Judicial Department, 2nd Floor, E Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
6. The Inspector General of Prisons, Assam, Assam Prison Headquarters, Khanapara, Guwahati, Assam - 781022.

7. The District Commissioner, Barpeta, office of the District Commissioner, Barpeta, Assam 781301.
8. The Superintendent of Police, Barpeta, office of The Superintendent of Police, Barpeta Assam - 781301.
9. The District Jail, Barpeta, Karertal Bhatkuchi, Barpeta, Assam - 781314

.....Respondents

WP(C)/5999/2025

Md. Moynuddin, son of Wahed Ali, resident of Village – Lakhipur, P.S. Bijni, District – Chirang, Assam, presently lodged at District Jail, Barpeta Assam - 783390.

VERSUS

1. The State of Assam represented by the Chief Secretary, Government of Assam, Assam Secretariat, Dispur, Guwahati, Assam - 781006.

2. The Additional Chief Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
3. The Commissioner and Secretary to the Government of Assam Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
4. The State Level Review Board under the ASSAM Prisons Act, 2013, represented by its Member Secretary I.E. the Secretary Home and Political Department, 2nd Floor, I Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
5. The Legal Remembrancer –cum- Commissioner and Secretary to the Government of Assam, Judicial Department, 2nd Floor, E Block, Janata Bhawan, Dispur, Guwahati, Assam- 781006.
6. The District & Sessions Judge, Barpeta, office of the District & Sessions Judge, Barpeta, Assam - 781301.
7. The Inspector General of Prisons, Assam, Assam Prison Headquarters, Khanapara, Guwahati, Assam - 781022.

8. The District Commissioner, Chirang, office of the District Commissioner, Barpeta, Assam – 783386
9. The Superintendent of Police, Chirang, office of the Superintendent of Police, Barpeta, Assam – 783386
10. The Superintendent District Jail, Barpeta District Jail, Barpeta, Karertal Bhatkuchi, Barpeta, Assam 781314

.....Respondents

BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY

Advocates :

For the petitioners : Mr. A. Atreya, Advocate

For the respondents : Mr. S.S. Roy, Government Advocate

Date on which judgment is reserved : N/A

Date of Hearings : 04.06.2026, 18.06.2026 & 23.06.2026

Date of pronouncement of judgment : 23.06.2026

Whether the pronouncement is of the
Operative part of the judgment ? :

Whether the full judgment has been
Pronounced ? : Yes

JUDGMENT & ORDER

1. These four writ petitions under Article 226 of the Constitution of India have been instituted by four petitioners who are convicts, each of whom is undergoing a sentence of life imprisonment. In so far as the petitioners in W.P.[C] no. 6283/2025, W.P.[C] no. 5946/2025 & W.P.[C] no. 5999/2025 are concerned, the petitioners are aggrieved by the decisions taken by the State Level Review Board [‘the Review Board’, for short] as regards their prayers for premature release in terms of Section 432 of the Code of Criminal Procedure, 1973 [‘the Code’ and/or ‘the CrPC’, for short]. In its Meeting, held on 22.07.2024, the Review Board has deferred consideration of the proposals submitted before it for their premature release under Section 432, CrPC. The petitioner in W.P.[C] no. 524/2026 has sought for a direction to the respondents to consider his case for remission and premature release on the basis of a proposal dated 11.04.2025 prepared by the Superintendent of Special Jail, Nagaon. The case of the said petitioner was considered by the Review Board on 19.03.2026 and the Review Board has deferred his case for remission which is to be considered after a period of two years.
2. Before going into the decisions of the Review Board; the issues raised on behalf of the petitioners; and controverted by the learned counsel for the respondents; it would be appropriate to refer briefly to the factual backgrounds involved in each of the writ petitions.

W.P[C] no. 6283/2025 :-

3. The prosecution case was that at about 01-00 p.m. on 10.06.2001, a boy of six years of age went out of his house in the company of the petitioner. When the

boy did not return back to his house till 07-00 p.m. on that day, the family members searched for the boy at different places but the boy could not be found. Then, they confronted the petitioner and in reply, the petitioner at first, told them that he sent the boy somewhere by bus but could not mention about the destination. Subsequently, the petitioner admitted about causing death of the child by strangulation and committing sodomy upon consistent interrogation. A First Information Report [FIR] was lodged and investigation was initiated. Upon completion of investigation, a charge-sheet against the petitioner for commission of the offences under Section 377 and Section 302, Indian Penal Code [IPC] was submitted. When the case was committed to the Court of Sessions, Dibrugarh [‘the Trial Court’], charges under Section 377 and Section 302, IPC were framed. As the petitioner did not plead guilty, the trial proceeded. After examination of ten prosecution witnesses and recording the statement of the petitioner under Section 313, CrPC, the Trial Court of learned Sessions Judge, Dibrugarh found the petitioner guilty of the charges under Section 377, IPC and Section 302, IPC. The Trial Court had reached a finding that the evidence on record led to a safe conclusion that the petitioner committed the offences of carnal intercourse and murder. For the offence under Section 377, IPC, the petitioner was sentenced to undergo rigorous imprisonment for ten years and to pay a fine of Rs. 3,000/-, with default stipulation. For the offence of murder under Section 302, IPC, he was sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs. 5,000/-, with default stipulation. The sentences were ordered to run consecutively.

- 3.1. When an appeal, Criminal Appeal [Jail] no. 105/2005 was preferred by the petitioner before this Court, the appeal was dismissed by a Division Bench by a Judgment and Order dated 21.03.2011 upholding the conviction of the petitioner on both the charges thereby, affirming the sentence of imprisonment for life.

- 3.2. On completion of more than 21 years in custody, the petitioner on 19.05.2023 submitted an application before the District Magistrate, Dibrugarh and the Superintendent of Police, Dibrugarh through the Superintendent, District Jail, Diphu for a conduct report on the ground of his long incarceration in jail since 13.06.2001. On receipt of the application, the Superintendent, District Jail wrote to the District Magistrate, Dibrugarh and the Superintendent of Police, Dibrugarh on the same day in terms of an Office Memorandum dated 06.10.2015 enclosing therewith all the relevant documents for a conduct report on the petitioner. On 19.05.2023, the Superintendent, District Jail also wrote to the learned Sessions Judge, Dibrugarh requesting for an opinion in the matter of premature release of the petitioner. The learned Sessions Judge, Dibrugarh on 10.07.2023 forwarded his opinion informing that there was nothing on the record which could bar the appropriate Government from exercising the power under Section 432, CrPC or Section 433A, CrPC. It was opined that the descriptive roll of the petitioner, as provided by the District Jail of Diphu, was good and he did not have any objection if the appropriate Government in its discretion, would exercise the power under Section 432, CrPC to remit the sentence imposed on the petitioner. On 17.07.2024, the Superintendent, District Jail, Diphu forwarded a proposal for release of the petitioner to the Inspector General of Prisons, Assam with the conduct reports received from the District Commissioner, Dibrugarh and the Superintendent of Police, Dibrugarh along with the opinion of the learned Sessions Judge, Dibrugarh and other relevant documents. It was reported that the conduct and performance of the petitioner in jail was found to be good and the petitioner was found to have maintained discipline in the jail. It was reported that the petitioner could, at that stage, be considered fit for release as he was reasonably expected to be able to resume a usual and law abiding life after release.

- 3.3. When the proposal of the petitioner was placed before the Review Board, the same was considered by the Review Board in its Meeting dated 22.07.2024. The Review Board resolved to defer consideration of the proposal for premature release for a period of two years due to the heinous nature of crime - kidnapping and murder of a minor child. The Review Board recorded that the proposal for premature release would be eligible for resubmission only on or after 22.07.2026.

W.P.[C] no. 5946/2025 :-

4. The petitioner stood in the trial of Sessions Case no. 103/2006 before the Court of learned Additional Sessions Judge, FTC, Barpeta [the Trial Court]. The prosecution case, in brief, was that the petitioner married the daughter of the informant about two years earlier to the date of institution of the FIR on 27.10.2004. After the marriage, the petitioner started torturing his wife both physically and mentally on the plea of dowry and other accused persons also assisted him. The FIR stated that on 25.10.2004, when the informant, that is, the father-in-law of the petitioner went to the house of the petitioner in the wee hours of that day, he found the deadbody of his daughter hanging from a jamu [Jamun or Indian Blackberry] tree. When alarm was raised, the petitioner and other family members fled away from the house. The FIR was registered as Barpeta Police Station Case no. 545/2004 under Section 304B, IPC. After submission of charge-sheet, a charge under Section 304B, IPC read with Section 149, IPC was framed against the petitioner and four other accused persons.
- 4.1. During the course of the trial, charges were altered to Section 302 and Section 498A read with Section 34, IPC. After the trial, the petitioner and one Tota Mia were convicted for the offence under Section 302, IPC read with Section 34, IPC. Further, the petitioner was also convicted under Section 498A, IPC. The other

three accused persons were acquitted from the charges on the ground that the prosecution could not establish their case beyond all reasonable doubts. The Trial Court observed that as the case did not fall under the rarest of the rare category of cases, the petitioner did not deserve extreme penalty. The petitioner was sentenced to undergo rigorous imprisonment for six months and to pay a fine of Rs. 1,000/-, with default stipulation, for the offence under Section 498A, IPC. For the offence of murder under Section 302, IPC, the petitioner was sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs. 2,000/-, with default stipulation. The other convicted person, Tuta Mia was sentenced to undergo imprisonment for life and to pay a fine of Rs. 2,000/-, with default stipulation. The sentences were ordered to run concurrently.

- 4.2. The petitioner and the other convicted person preferred a criminal appeal, Criminal Appeal no. 127/2009 against the Judgment and Order of conviction and sentence dated 19.06.2009 of the Trial Court. A Division Bench of this Court after hearing the parties, dismissed the criminal appeal by a Judgment and Order dated 26.07.2013 finding no merit in it. The Judgment and Order of conviction and sentence passed by the Trial Court was upheld.
- 4.3. After spending twenty years in incarceration, the petitioner submitted an application before the Inspector General of Prisons, Assam through the Superintendent, District Jail, Barpeta on 21.12.2023 seeking his premature release. On receipt of the application, the Superintendent, District Jail, Barpeta prepared a proposal in the matter of release of the petitioner on remission and communicated the matter to the Inspector General of Prisons on 05.01.2024. The relevant documents pertaining to the petitioner's incarceration including a descriptive roll, a certificate of conduct & behaviour and a copy of Judgment of the Trial Court, etc. were forwarded along with the proposal.

- 4.4. Prior to sending the proposal, the Superintendent, District Jail, Barpeta also forwarded the matter to the learned Additional Sessions Judge [FTC], Barpeta for his opinion, who called for a Report from the Superintendent of Police, Barpeta. After going through a Report submitted by the Superintendent of Police, Barpeta, the Trial Court recorded an opinion that there existed a probability that the crime might not be repeated and no fruitful purpose would be served by keeping the convict in prison. In his opinion dated 12.12.2023, the Trial Court had recorded his opinion that there existed no hindrance in releasing the convict on remission.
- 4.5. When the proposal of the petitioner was placed before the Review Board, the proposal came to be considered in a Meeting held on 22.07.2024. The Review Board, however, took a decision to defer consideration of the proposal by two years observing that the crime committed by the petitioner as the prime accused was of heinous nature.

W.P.[C] no. 5999/2025 :-

5. The allegation against the petitioner was of committing murder of his nephew, who was of fourteen years of age. In the FIR lodged in that connection, it was alleged that at about 04-00 p.m. on 11.10.2003, the nephew of the petitioner went out of his house on a bicycle and at about 02-00 p.m. on 12.10.2003, his deadbody was found in the midst of reeds. In the FIR, the finger of suspicion was pointed at the petitioner and one Ajar Ali. A case was registered for the offences under Section 302, IPC and Section 201, IPC read with Section 34, IPC and investigation was initiated.
- 5.1. After submission of a charge-sheet on completion of investigation, appearance of the petitioner and the other accused person in Sessions Case no. 120/2004 could be secured after a period of delay. Charges were framed for the offences under

Section 302, IPC and Section 201, IPC read with Section 34, IPC. At the end of the trial, the Trial Court of learned Sessions Judge, Barpeta [‘the Trial Court’] pronounced the verdict of guilt on 26.10.2006 in Sessions Case no. 120/2004. The Trial Court found that both the accused persons including the petitioner, were guilty of the offences under Section 302, IPC and Section 201, IPC in aid of Section 34, IPC as the prosecution was able to establish the case beyond doubt. The petitioner and the other convict were sentenced to undergo imprisonment for life each and to pay a fine of Rs. 2,000/- each, with default stipulation, under Section 302, IPC. They were also sentenced to undergo rigorous imprisonment for a period of three years each and to pay a fine of Rs. 500/- each for the offence under Section 201, IPC. The sentences were ordered to run concurrently.

- 5.2. Aggrieved by the Judgment and Order of conviction and sentence passed against them in Sessions Case no. 120/2004 by the Trial Court, the petitioner and the other convicted person preferred a criminal appeal, Criminal Appeal no. 16/2007 before this Court. After hearing, a Division Bench of this Court by a Judgment and Order dated 01.12.2011 upheld the verdict of the Trial Court, thereby affirming the conviction and sentence passed against the petitioner and the other convicted person. The Court had reached an opinion having regard to the totality of the evidence on record that the Judgment and Order of conviction and sentence passed by the Trial Court did not warrant interference at the appellate stage.
- 5.3. An application was submitted by the petitioner before the respondent authorities through the Superintendent, District Jail, Barpeta in the year 2021. The Superintendent, District Jail, Barpeta sought conduct reports from the Deputy Commissioner, Chirang and the Superintendent of Police, Chirang. In response, the Superintendent of Police, Chirang submitted a conduct report on 12.03.2021 opining inter alia that when the petitioner was granted annual leave on four

occasions, he did not indulge in any criminal activity and returned to jail in time. It was further mentioned that there was no criminal case pending against the petitioner. The Deputy Commissioner, Chirang in his Report dated 15.09.2021, observed that there was no criminal case against the petitioner and the petitioner could be considered for granting remission. When the Superintendent, District Jail, Chirang sought an opinion from the Trial Court, the learned Sessions Judge, Barpeta considered the case records of Sessions Case no. 120/2004 and an a report sent by the Superintendent, District Jail, Barpeta where the petitioner was lodged to serve out his sentence. In the report, the Superintendent, District Jail, Barpeta reported that the petitioner was a hard-working sincere prisoner who used to abide rules and regulations of the jail and therefore, he was found fit for resuming life after release as a law abiding citizen. The Trial Court had, however, mentioned that it could not say whether remission should be given to the petitioner or not. In its Opinion dated 29.05.2021, the Trial Court had observed that it had nothing to say whether the sentence of life imprisonment imposed upon the petitioner should be commuted or not.

- 5.4. When the proposal for remission of the petitioner forwarded to the Review Board, the same was placed for consideration in its Meeting held on 22.07.2024. The Review Board deferred the proposal on the ground that the opinion from the Trial Court was not clear.

W.P.[C] no. 524/2026 :-

6. The petitioner stood as an accused in the trial of Sessions Case no. 47[A]/1999 facing charges under Sections 147, 148, 436, 326, 302, 149, IPC. After the trial, the Trial Court of learned Sessions Judge, Morigaon by a Judgment and Order dated 05.05.2003 held him guilty for the afore-mentioned charges. After hearing the petitioner as the accused on the point of sentence under Section 235[2],

CrPC, the petitioner was sentenced to death. The petitioner preferred a criminal appeal from jail, which was registered as Criminal Appeal [Jail] Case no. 5/2003. The death reference was registered and numbered as the Criminal Death Reference no. 02/2003. The Division Bench of this Court on 09.03.2004 affirmed the Judgment and Order of conviction and sentence passed by the Trial Court on 05.05.2003, besides answering the death reference in the affirmative.

- 6.1. As against the Judgment dated 09.03.2004 of the Division Bench, an appeal was preferred by the petitioner before the Hon'ble Supreme Court of India and the same was registered as Criminal Appeal no. 1063/2004. The Hon'ble Supreme Court of India upheld the conviction and sentence on 08.04.2005.
- 6.2. Mercy Petitions under Article 161 and Article 72 of the Constitution were preferred by the petitioner before the Governor of Assam and the President of India respectively on 18.04.2005, that is, ten days after disposal of the appeal by the Hon'ble Supreme Court. The Governor of Assam rejected the Mercy Petition of the petitioner on 26.06.2013. The President of India also rejected the Mercy Petition and the decision was communicated to the petitioner on 25.07.2014.
- 6.3. After rejection of the Mercy Petitions, the petitioner preferred a writ petition, W.P.[Cr.] no. 05/2014 before this Court questioning the legality of the rejection of the Mercy Petitions filed by him before the Governor of Assam and the President of India after keeping the Mercy Petitions pending for more than nine years without any decision, as the petitioner was facing execution of his sentence passed by the Trial Court in Sessions Case no. 47[A]/1999, which was affirmed by this Court on 09.03.2004 and the Hon'ble Supreme Court in its Judgment and Order dated 08.04.2005. By a Judgment and Order dated 23.12.2015, a Division Bench of this Court allowed the writ petition commuting the death sentence of the petitioner into imprisonment for life which would mean

imprisonment till the end of his life, subject to any remission granted by the State Government under Section 432, CrPC which, in turn, would be subject to the procedural checks mentioned in the provisions and further substantive check under Section 433A of the Code.

- 6.4. The Hon'ble Supreme Court by an Order dated 22.10.2024 passed in the case, Special Leave Petition [Crl.] No. 529/2021 [Sonadhar vs. State of Chattishgarh], decided on 22.10.2024, directed all concerned to dispose of all the pending applications of prisoners and to clear backlog at all levels within the next two months. After the Order of the Hon'ble Supreme Court, the Inspector General of Police, Assam asked the Superintendents of Jail across Assam, on 29.10.2024, to accord highest priority to forward the applications of premature release of eligible life convicts in their respective jails to him for placing the release proposals before the Review Board.
- 6.5. It was in response to the Letter dated 29.10.2024 of the Inspector General of Prisons, Assam, the Superintendent of Special Jail, Nagaon requested the District Magistrate, Morigaon and the Superintendent of Police, Morigaon on 31.10.2024 to submit conduct reports once again from their ends in respect of the petitioner. In the Office Letter dated 31.10.2024, the Superintendent of Special Jail, Nagaon traced the case history of the petitioner briefly. In the said Letter, it was observed that the petitioner's conduct and behaviour with co-inmates as well as with jail officials were found to be satisfactory and no adverse report was recorded during his period of conviction.
- 6.6. The Superintendent of Special Jail, Nagaon vide an Office Letter dated 02.02.2025 also sought an opinion for grant of remission to the petitioner from the learned Sessions Judge, Morigaon [the Trial Court']. Apart from going through the case record, the Trial Court also considered the report received from

the Superintendent of Jail, Nagaon wherein it was mentioned that the character of the petitioner was satisfactory and there was no adverse report against the petitioner. A report dated 22.01.2025 was also received from the District Administration wherein it was reported that it could reasonably be concluded that the release of the petitioner was unlikely to cause any law and order issue in his area of residence. The learned Sessions Judge also considered a report dated 20.12.2024 received from the Superintendent of Police, Morigaon wherein it was mentioned that nothing adverse was found against the petitioner. Based on such reports and the concerned case record, the learned Sessions Judge had opined that the petitioner could be released on remission under appropriate provisions of the Code.

- 6.7. A proposal for release of the petitioner on remission was finally forwarded by the Superintendent of Special Jail, Nagaon to the Inspector General of Prisons, Assam on 11.04.2025. When the situation rested in such position, the instant writ petition was preferred. The petitioner has preferred the present writ petition seeking a direction to the respondent authorities to consider his case for remission and premature release on the basis of the proposal dated 11.04.2025.
- 6.8. During the pendency of the writ petition, as mentioned above, the Review Board considered the proposal of the petitioner in its Meeting, held on 24.06.2025, and also subsequently on 19.03.2026. On 24.06.2025, the Review Board had observed that though there was no adverse conduct and behaviour in respect of the petitioner during his period of imprisonment, the case should be deferred as the nature of the crime was heinous and his premature release was perceived to be a threat to the society.
- 6.9. In the Meeting, held on 19.03.2026, proposals of ninety life convicts were placed before it and after deliberation, the Review Board decided to return fifty-seven

proposals, except one, to the Inspector General of Prisons, Assam with a direction to re-submit the proposal after applications of mind in terms of the direction of the Hon'ble Supreme Court of India in **Sangeet and another vs. State of Haryana, [2013] 2 SCC 452**.

7. Mr. Atreya, learned counsel for the petitioners has submitted that the Review Board while giving consideration to the proposals, did not give consideration to the relevant factors which were required to be considered for grant of remission. He has submitted that the factors germane for grant of remission are mentioned by the Hon'ble Supreme Court in the case of **Laxman Naskar vs. Union of India, [2000] 2 SCC 595**. Additional factors are also mentioned in the Office Memorandum dated 06.10.2015 issued by the State Government. The Review Board had taken into consideration only the nature of the offences committed by the petitioners in three of the cases and the opinion of the Presiding Judge in the other case. He has contended that a heinous nature of the offence cannot be the sole factor for rejection of a proposal for remission, as observed by the Hon'ble Supreme Court in the case of **Rohit Chaturvedi vs. State of Uttarakhand, 2026 SCC OnLine SC 865**. He has further pointed out that the Review Board had considered all the remission proposals at one go and not on case-to-case basis, as mandated by the Office Memorandum dated 06.10.2015. In the case of the petitioner Samsul Mia, the proposal ought to have been considered on the ground of parity as the co-accused who was convicted along with the said petitioner was granted remission. On the ground of parity, Mr. Atreya has referred to the case titled **Jaswant Singh and others vs. State of Chhattisgarh, [2023] 17 SCC 297**. As the opinion of the Presiding Judge in the case of the petitioner in W.P.[C] no. 5999/2025 was indefinite, the proper course for the State Government to be adopted was to call for a fresh opinion. In so far as the case of the petitioner in W.P.[C] no. 524/2026 is concerned, when the proposal was considered by the Review Board on 19.03.2026, the said petitioner

was already 75 years of age and therefore, the age of the petitioner was also a relevant factor for considering a proposal for remission. But, the Review Board did not give any consideration to the age of the said petitioner.

8. Mr. Roy, learned Junior Government Advocate appearing for the State respondents has submitted that the decisions taken by the Review Board on the proposals are in conformity with the policy laid down in the Office Memorandum dated 06.10.2015. He has submitted that the proposals would be considered again as they are only deferred.
9. The provision for remission of sentence was contained in Section 432, Code of Criminal Procedure, 1973 ['the Code' or 'the CrPC'] which has since been replaced by the Bharatiya Nagarik Suraksha Sanhita, 2023 ['the BNSS']. In the BNSS, the provision for remission of the sentence is contained in Section 437. The provisions of Section 473, BNSS are similarly worded as Section 432, CrPC. For the purpose of the cases in hand, sub-section [1], sub-section [2] and sub-section [7] of Section 432, CrPC are of relevance and they are quoted hereunder for ready reference :-

[1] When any person has been sentenced to punishment for an offence, the appropriate Government may, at any time, without conditions or upon any conditions which the person sentenced accepts, suspend the execution of his sentence or remit the whole or any part of the punishment to which he has been sentenced.

[2] Whenever an application is made to the appropriate Government for the suspension or remission of a sentence, the appropriate Government may require the presiding Judge of the Court before or by which the conviction was had or confirmed, to state his opinion as to whether the application should be granted or refused, together with his reasons for such opinion and

also to forward with the statement of such opinion a certified copy of the record of the trial or of such record thereof as exists.

* * * * *

[7] In this section and in section 433, the expression 'appropriate Government' means,—

[a] in cases where the sentence is for an offence against, or the order referred to in sub-section [6] is passed under, any law relating to a matter to which the executive power of the Union extends, the Central Government;

[b] in other cases, the Government of the State within which the offender is sentenced or the said order is passed.

10. The power of remission available to the appropriate Government under Section 432, CrPC/Section 473, BNSS is for remission of the whole or part of the punishment to which an accused has been sentenced and such remission can be without conditions or upon any conditions. The power under Section 432, CrPC/Section 473, BNSS is subject to the provisions contained in Section 433A, CrPC/Section 475, BNSS. Section 433A, CrPC/Section 475, BNSS is with a non-obstante clause related to Section 432, CrPC/Section 473, BNSS. Section 433A, CrPC/Section 475, BNSS has prescribed that notwithstanding anything contained in Section 432, CrPC/Section 473, BNSS, where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishment provided by laws or where a sentence of death imposed on a person has been commuted under Section 433, CrPC/Section 473, BNSS into one of imprisonment for life, such person shall not be released from prison unless he had served at least fourteen years of imprisonment. Meaning thereby, the appropriate Government cannot grant remission unless the convict has served at

least fourteen years of actual imprisonment in the category of cases mentioned therein.

11. It has been held in **Sangeet and another vs. State of Haryana, [2013] 2 SCC 452**, to the effect that the process of granting remission under Section 432, CrPC/Section 473, BNSS can be set into motion in a case only after an application for remission is submitted by a convict or by a person on his behalf. On such an application being made, the appropriate Government is required to approach the Presiding Judge of the Court before or by which the conviction was made or confirmed to opine [with reasons] whether the application should be granted or refused. Thereafter, the appropriate Government may take a decision on the remission application and pass order granting remission subject to some conditions, or refusing remission.
12. The Constitution Bench decision in **Gopal Vinayak Godse vs. State of Maharashtra, AIR 1961 SC 600**, and **Maru Ram vs. Union of India, [1981] 1 SCC 107**, has taken note of the fact that life imprisonment means that the prisoner would remain in prison for the rest of his life. Credit for remissions given or awarded has a meaning only if the imprisonment is for a definite period. Since life imprisonment is for an indefinite period, remissions earned or awarded are really theoretical. In matters of life imprisonment, remissions earned or awarded are unreal and would become relevant only if there is a fictional quantification of the period of imprisonment. It has been held that remissions earned or awarded cannot be the basis for the determination of the fictional period of imprisonment.
13. Following the said two decisions, the Hon'ble Supreme Court in **Ashok Kumar vs. Union of India, [1991] 3 SCC 498**, has observed that where a person has been sentenced to imprisonment for life, the remissions earned by him during his internment in prison under the relevant remission rules have a limited scope and

must be confined to the scope and ambit of the said rules and do not acquire significance until the sentence is remitted under Section 432, in which case the remission would be subject to limitation of Section 433A of the Code, or constitutional power has been exercised under Article 72/161 of the Constitution. Thus, for a life convict, the rest period of incarceration, a specific order under Section 432, CrPC/Section 473, BNSS will have to be passed by the appropriate Government. However, the period cannot be less than fourteen years as per Section 433A, CrPC/Section 475, BNSS. It has been held in **Sangeet** [supra] that Section 432, CrPC has application only in two situations viz. [i] Where a convict is to be given additional remission or remission for a period over and above the period that he is entitled to or he is awarded under a statutory rule framed by the appropriate Government or under the Jail Manual; and [ii] Where a convict is sentenced to life imprisonment, which is for an indefinite period, subject to procedural and substantive checks. It has been observed that before actually exercising the power of remission under Section 432, CrPC, the appropriate Government must obtain the opinion [with reasons] of the Presiding Judge of the convicting or confirming Court and remissions can only be given on a case-to-case basis and not in a wholesale manner.

13. After decision of the Hon'ble Supreme Court in **Sangeet** [supra], the State Government in the Home Department in order to follow a Uniform Policy for granting remission of sentences to life convicts and all other convicts sentenced to imprisonments for more than fourteen years in aggregate has issued an Office Memorandum on 06.10.2015 on the subject : 'Remission of Sentences of Life Convicts'. In the said Policy framed by the State Government and notified by the Office Memorandum dated 06.01.2015, it has been emphasized that for granting remission in respect of life convict, the germane factors for consideration should be the age of the convict; and the physical strength of the convict so as to assess the danger the convict is likely to pose in the society in the event of his

release. The factors whether the prisoner who has become frail or is suffering from terminal diseases and would not prima facie pose any threat to the society are also relevant for consideration of a person for remission. In Clause 6 of the Office Memorandum, it has been provided that the State Government shall take into account the following aspects while examining a proposal received from the Inspector General of Prisons along with the opinion of the Presiding Officer of the convicting or confirming court, as the case may be, at the time of taking a decision :-

- [a] Convicts who are older than 75 years, convicts who have become frail and infirm or are suffering from terminal diseases and prima facie would not pose any threat to the society as per finding of the Medical Board.
- [b] Convicts who have spent their imprisonment with excellent track record of discipline, conduct and hard work.

In Clause 8 of the Office Memorandum, it is mentioned that remission proposals shall be decided case-by-case on merit and no decision in this regard shall be taken on a wholesale manner. In Clause 9, it has been mentioned that proposal of remission rejected by the State Government, after due consideration should not be re-submitted before expiry of two years from the date of rejection except where the person is more than 80 years in age or terminally ill.

14. So far as these four petitioners are concerned, all of them have spent more than twenty years in incarceration as on date. The petitioner in W.P.[C] no. 524/2026, as on date, is more than 75 years of age.

15. The Assam Legislative Assembly had enacted the Assam Prisons Act, 2013 [‘the Assam Prisons Act’] for consolidation of the laws relating to prisons and persons detained therein in the State of Assam.
16. As per Section 2[24], ‘imprisonment for life’ means imprisonment for the entire life of the person under sentence of imprisonment for life, unless such sentence is remitted earlier by the appropriate Government. Remission is defined in Section 2[27] of the Assam Prisons Act. As per Section 2[27], ‘remission’ means a concession granted under the provisions of Section 65 to a convicted inmate, as a consequence of which the sentence of imprisonment, except where the sentence is one of imprisonment for life, of the inmate is shortened. Section 22 of the Assam Prisons Act has provided for constitution of a Review Board. Section 22 has inter alia prescribed that the State Government shall constitute a Review Board to review the cases of inmates under sentence of imprisonment and recommend their premature release under any law.
17. The provisions for remission is contained in Section 65 of the Assam Prisons Act. Sub-section [3] of Section 65 has laid down to the effect that an inmate sentenced to imprisonment for life to be released without specific orders from the appropriate Government remitting his sentence of imprisonment for life. By virtue of sub-section [2] of Section 92 of the Assam Prisons Act, the rules for superintendence and management of jails in the State of Assam framed under Section 3[1] of the Prisons Act, 1894 have been saved. Chapter XIX of the said Rules contained provisions for the remission system which were framed under Section 59[5] of the Prisons Act, 1894 to regulate the shortening of sentence by the grant of remission. Sub-rule [4] of Rule 571 of the said Rules provided for the procedure about the submission of a proposal for remission in the following manner :-

[4] *Release of life convict.* - The Superintendent shall submit to the Inspector-General for every half year ending 30th June/31st December the following in duplicate in respect of any life convict who has completed as on 30th June/31st December, or is due to complete within the next quarter, twenty years imprisonment including any remission earned under the rules; [i] Descriptive Roll; [ii] Report as to the life convict's conduct and performance in prison; and [iii] Remark as to his fitness for release. The Inspector General shall thereupon send his recommendations to the appropriate Government who will communicate the order remitting or refusing the life sentence to the Inspector-General for transmission to the Superintendent. If the life sentence is remitted, the Superintendent shall release the life convict as such date as may be specified in the orders.

18. It is not in dispute that proposals in respect of all the petitioners were submitted by the Superintendent of the concerned Jail to the Inspector General of Prisons as per the procedure laid down in the Assam Jail Manual and came to be placed before the Review Board for consideration.
19. The manner in which the proposal for remission submitted on behalf of a life convict is to be decided has been considered by the Hon'ble Supreme Court in a number of cases. It has been laid down in the Office Memorandum dated 06.10.2011 that all applications made by a convict or on his behalf for remission of sentence should be submitted to the Superintendent of the Jail. The later, in turn, has to take steps to forward the same to the Presiding Judge of the convicting or confirming court along with the history ticket, copy of the judgments, descriptive roll, report from the District Magistrate and the Superintendent of Police of the district of the convicts' conduct, report of the

Medical Board in case of old-infirm and terminally ill convicts for his opinion [with reason] about granting of remission.

20. In **Laxman Naskar vs. Union of India**, [2000] 2 SCC 595 and as has been reiterated in **Ram Chander vs. State of Chhattisgarh**, [2022] 12 SCC 52, it has been observed that police report is to be called on the following factors for consideration of the proposal for premature release of the life convicts :-

- [a] Whether the offence is an individual act of crime that does not affect the society;
- [b] Whether there is a chance of the crime being repeated in future;
- [c] Whether the convict has lost the potentiality to commit crime;
- [d] Whether any purpose is being served in keeping the convict in prison; and
- [e] Socio-economic conditions of the convict's family.

21. In the State of **Haryana vs. Jagdish**, [2010] 4 SCC 216, the Hon'ble Supreme Court has observed that at the time of considering the case of premature release of a life convict, the authorities may require to consider his case mainly taking into consideration whether the offence was an individual act of crime without affecting the society at large; whether there was any chance of future recurrence of committing a crime; whether the convict had lost his potentiality in committing the crime; whether there was any fruitful purpose of confining the convict anymore; the socio-economic condition of the convict's family and other similar circumstances.

22. In **Ram Chander** [supra], the case for remission of the petitioner who was a life convict, was not given the benefit of the provisions of Section 433A, CrPC by the State Government initially because the Presiding Judge opined against releasing

the petitioner on remission. When the Jail Department sought opinion of the Law Department, the Law Department stated that since the Presiding Judge and the sentencing Court had not given objective opinion with regard to the release of the petitioner, the petitioner could not be released. In such factual scenario, the Hon'ble Court has examined the issue what value is to be given to the opinion of the Presiding Judge. The Hon'ble Court referred to the Constitution Bench judgment in **Union of India vs. V. Sriharan**, [2016] 7 SCC 1, wherein it was observed that the opinion of the Presiding Judge shines a light on the nature of the crime that has been committed, the record of the convict, their background and other relevant factors. The opinion of the Presiding Judge is crucial in the sense that he may enable the Government to take the 'right' decision as to whether or not the sentence should be remitted. It cannot be said that the opinion of the Presiding Judge is only a relevant factor, which does not have any determinative effect on the application for remission. The purpose of the procedural safeguard under Section 432[2], CrPC would stand defeated if the opinion of the Presiding Judge becomes just another factor that may be taken into consideration by the Government while deciding the application for remission. It is possible then that the procedure under Section 432[2] would become a mere formality. However, the same would not go to say that the appropriate Government should mechanically follow the opinion of the Presiding Judge. If the opinion of the Presiding Judge does not comply with the requirements of Section 432[2] or if the Judge does not consider the relevant factors for grant of remission that have been laid down in **Laxman Naskar** [supra], the Government may request the Presiding Judge to consider the matter afresh.

23. As mentioned hereinabove, the proposals for remission of the petitioners were considered by the Review Board on 22.07.2024 along with 73 nos. of other proposals for remission. The Review Board stated to have recorded its decisions

after a threadbare discussed on the merits/demerits of each proposal. In so far as the petitioners, namely, [i] Samsul Miya [ii] Md. Moynuddin; and [iii] Ganesh Bhumij are concerned, the Review Board recorded the decisions and reasons thereof in the following words :-

Samsul Miya	Actual imprisonment of 14 years 10 months 14 days including hajot but excluding remission earned and total imprisonment of 20 years 03 months 07 days as on 31.01.2024.	Decision : Deferred by 2 years due to the heinous nature of the crime where the life convict is the primes accused.
Moynuddin	Actual imprisonment of 17 years 09 months 01 days including hajot but excluding remission earned and Total imprisonment of 23 years 03 months 13 days as on 31.12.2023.	Decision : Deferred as the opinion from the concerned court is not clear.
Ganesh Bhumij	Actual Imprisonment of 23 years 00 month 16 days including hajot but excluding remission earned and Total imprisonment of 28 years 11 months 17 days as on 30.06.2024.	Decision : deferred by 2 years due to the heinous crime of kidnapping and murdering of a minor child.

24. In the Meeting of the Review Board convened on 19.03.2026 to re-examine the cases of remission in respect of 32 life-convicts for the year 2025 and to review the cases of 58 inmates undergoing sentence of life imprisonment and to recommend their premature release as per the guidelines given in the Office

Memorandum dated 06.10.2015. As per the Minutes of the Meetings, the Review Board stated to have followed the direction of the Hon'ble Supreme Court in **Sangeet** [supra] and the guidelines in the Office Memorandum dated 06.10.2015. As per the Minutes, the Review Board confined its consideration to fewer proposals of remission and only exceptional cases of life-convicts like terminally ill patients, cancer patients, etc. or who has completed the stipulated 14/20 years of imprisonment. The Review Board was of the view that good behavior alone could not be the criteria of premature release of life-convicts and was of the opinion that life-convicts should not be recommended for release just after completion of 14/20 years and should not be considered for remission unless it falls in the exceptional category. The Review Board purportedly after giving consideration to the merits/de-merits of each proposal and after a threadbare discussion, had only decided to recommend a proposal for remission in case of only one life-convict, aged about 53 years, who was found to be suffering from cerebrovascular issues which had made him paralyzed. The Review Board returned 32 nos. of proposals received for the year 2025 and 57 nos. of proposals for the year 2026 to the Inspector General of Prisons, Assam with a direction to re-submit the proposals after proper application of mind following the directions of the Hon'ble Supreme Court.

25. From the Minutes of the Review Board dated 19.03.2026, it is evidently clear that the proposals for remission were not considered on case-to-case basis and the proposals other than one of life-convict, were considered as a whole as no separate reasons are recorded in case of 89 proposals for remission of life-convicts placed before the Review Board on 19.03.2026.
26. From the reasons recorded by the Review Board in case of three petitioners in W.P.[C] no. 5946/2025, W.P.[C] no. 5999/2025 & W.P.[C] no. 6283/2025, it is evidently clear that the proposals for remission in the case of petitioners in

W.P.[C] no. 5946/2025 and W.P.[C] no. 6283/2025 were deferred by two years only for the reason that the nature of the crime, according to the Review Board, was heinous in nature. The Review Board recorded that the petitioner in W.P.[C] no. 5946/2025 was the prime accused whereas the petitioner in W.P.[C] no. 6283/2025 was involved in the crime of kidnapping and murder of a minor. As regards the proposal for the petitioner in W.P.[C] no. 5999/2025, the Review Board deferred consideration on the premise that the opinion from the Presiding Judge was not clear.

27. It needs iterate that in **Ram Chander** [supra] the Hon'ble Court has held that the appropriate Government is not required to follow the opinion of the Presiding Judge mechanically if the opinion of the Presiding Judge does not comply with the requirement of Section 432[2] of the CrPC or if the Presiding Judge does not consider the relevant factors for grant of remission. It has been held in **Laxman Naskar** [supra] that the Government can request the Presiding Judge to consider the matter afresh. In the opinion given by the Presiding Judge in case of the petitioner in W.P.[C] no. 5999/2025 on 29.05.2021, it was mentioned that he could not say whether the remission was to be given to the petitioner or not, and he had nothing to say whether the sentence of life imprisonment imposed upon the petitioner was to be commuted or not. The said opinion of the Presiding Judge, in the considered view of this Court, is an indecisive one and it cannot be said to be an opinion which considered the factors laid down in **Laxman Naskar** [supra]. In the event of receipt of such an opinion, obligation is also cast on the appropriate Government and for that matter, the Review Board is to request the Presiding Judge to consider the matter of the petitioner afresh in the light of the relevant factors and to give a fresh opinion.
28. In the case of the petitioner in W.P.[C] no. 5999/2025, the Review Board did not ask for a fresh opinion from the Presiding Judge and had simply deferred the

proposal recording the reason that the opinion of the Presiding Judge was not clear. Similarly, the decision of the Review Board in view of the provisions of Section 432[2], CrPC must be accompanied by reasons which should be demonstrative of the fact that the authority had given due consideration to the relevant factors and the reasons must not be mechanical. It has been held in **Ram Chander** [supra] that if an opinion accompanied by inadequate reasoning would not satisfy requirements of Section 432[2] of the CrPC, it would not serve the purpose for which the exercise under Section 432[2] is to be undertaken.

29. As regards the reason assigned by the Review Board in the case of the petitioner in W.P.[C] no. 524/2026, it is noticed that the Presiding Judge in his opinion rendered on 29.03.2025, had opined that the case could be considered for remission. Paragraph 6[a] of the Office Memorandum dated 06.10.2015 has provided that while taking decision, the State Government and for that matter, the Review Board shall have to give regard to the case of a convict who is more than 75 years and prima facie would not pose any threat to the society as per the finding of a Medical Board. The petitioner at the time of consideration of his proposal for remission on 19.03.2026 is admittedly above 75 years and it was a policy decision of the State Government that in case of a convict aged above 75 years, an opinion is to be obtained from the Medical Board as regards likelihood of posing any threat by such convict to the society in the event remission is granted. Admittedly, no opinion from the Medical Board was obtained by the Review Board prior to giving consideration to the proposal for remission in the case of the petitioner and no reason was assigned as to why his case for remission, even after he is above 75 years of age, cannot be considered. The prime reason for deferring the consideration of the proposals in the case of the petitioners in W.P.[C] no. 5946/2025 & W.P.[C] no. 6283/2025 is the heinous nature of the crime.

30. The Hon'ble Supreme Court in **Rohit Chaturvedi vs. State of Uttarakhand and others, 2026 SCC OnLine SC 865** has observed that the nature of the offence cannot be the sole ground for denying remission. The decision on remission must emerge from a holistic assessment of the prisoner and after balancing societal interests with the prisoner's right to be considered for release on fair and reasonable criteria which are already outlined in the case of **Laxman Naskar** [supra].
31. By the same Judgment and Order on sentence, the Trial Court had convicted one Tuta Miya and the petitioner in W.P.[C] no. 5946/2025. Both Tuta Miya and the petitioner were sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs. 4,000/- with default stipulation under Section 302, IPC. Additionally, the petitioner was sentenced to undergo imprisonment for 6 months and to pay a fine with default stipulation for the offence under Section 498A, IPC. The sentences were ordered to run concurrently. Meaning thereby, the petitioner had already served out the sentence imposed on him for the offence under Section 498A, IPC. In so far as the offence of murder under Section 302, IPC is concerned, the petitioner and Tuta Miya were sentenced similarly. The proposals of both the petitioner and Tuta Miya were placed before the Review Board on 22.07.2024. While deferring the proposal in case of the petitioner, the Review Board allowed the proposal for remission in respect of Tuta Miya.
32. In a case of similar nature, the Hon'ble Supreme Court in **Jaswant Singh** finding the case of the petitioner therein similar with the co-accused who was granted remission, directed the petitioner's application for remission for re-consideration by the Government afresh after obtaining an opinion from the Presiding Judge as the Presiding Judge's opinion was not after consideration on the relevant factors.

33. In the case of the petitioner in W.P.[C] no. 6283/2025, the opinion of the Presiding Judge commented nothing adverse against the petitioner and recorded no objection for consideration of his case of remission by the State Government in its discretion under Section 432[2], CrPC.
32. From the discussion made above and the reasons recorded therein, the proposals for remission in case of these four petitioners were not given considered by the Review Board qua all the relevant factors required to be given consideration at the time of consideration of such proposals for remission. The factors which are germane for consideration of a proposal for remission have been outlined in the Office Memorandum dated 06.10.2015 and in the line of decisions of the Hon'ble Supreme Court, discussed hereinabove.
33. In such view of the matter, this Court is of the view that the petitioners' proposals for remission are to be given re-consideration by the Review Board afresh. Therefore, the Inspector General of Prisons, Assam is directed to place the proposals of remission of these four petitioners before the Review Board as expeditiously as possible and within the month of July, 2026. The State respondents are also directed to obtain an opinion on the proposal for remission in the case of the petitioner in W.P.[C] no. 5999/2025 from the Presiding Judge afresh who, in turn, is to furnish the opinion after taking into consideration all the relevant factors that governs the grant of remission with adequate reasoning within the shortest possible time on receipt of a request in this regard from the Inspector General of Prison, Assam. This Court reiterates that consideration of the proposals for remission of these four petitioners by the Review Board should be strictly upon consideration of all the relevant factors that governs the grant of remission including the Office Memorandum dated 06.10.2015.

34. The final decision taken on the proposals for remission of these four petitioners are to be communicated to the petitioners immediately through the office of the concerned prison. The copies thereof should also be forwarded to the Secretaries of the concerned District Legal Services Authorities. As per the SOP issued by the National Legal Services Authority, the prison authorities shall inform the petitioners that they have the right to challenge the order of rejection of the prayer for grant of remission.
35. With the observations made and the directions given above, the four writ petitions are disposed of.

JUDGE

Comparing Assistant