

Bhagwat Saran And Ors. vs State Of Uttar Pradesh And Ors. on 6 December, 1982

Equivalent citations: 1982(2)SCALE1376, (1983)1SCC389, AIRONLINE 1982 SC 6, 1983 (1) SCC 389, 1983 SCC (CRI) 209, (1988) 2 JT 263 (SC), (1988) 36 DLT 160, (1988) 36 ELT 517, 1988 (3) SCC 12, 1993 SCC (CRI) 237, 1993 SCC (SUPP) 1 447, (2001) 10 JT 95 (SC), (2002) 2 ANDHLT(CRI) 383, (2002) 2 CRIMES 191, (2002) 3 LANDLR 7, (2002) 47 ALL LR 306, (2002) 4 CIVLJ 618, (2002) 5 SUPREME 256

Bench: Baharul Islam, V.D. Tulzapurkar

ORDER

1. Rule Nisi.

2. After hearing counsel on either side and considering the affidavit of the respondents filed herein we are satisfied that it is a case where the Committee's recommendations should have been accepted by the Government. The Committee had recommended the release of these prisoners after taking into consideration the behaviour in side the jail as well as other factOrs. The only ground given by the State in the counter affidavit is that "after considering their cases sympathetically keeping in view the law and order situation they cannot be released." A bald statement like that without any attempt to indicate how law and order is likely to be adversely affected by their release cannot be accepted. In fact there are no reasons why recommendations could not be accepted. We direct that the petitioners be released forthwith.