

# Life Convict Laxman Naskar vs State Of West Bengal & Anr on 4 September, 2000

**Bench: S. Rajendra Babu, Shivaraj V. Patil**

PETITIONER:

LIFE CONVICT LAXMAN NASKAR

Vs.

RESPONDENT:

STATE OF WEST BENGAL & ANR.

DATE OF JUDGMENT: 01/09/2000

BENCH:

S. Rajendra Babu, J. & Shivaraj V. Patil, J.

JUDGMENT:

J U D G M E N T RAJENDRA BABU, J.:

L...I...T.....T.....T.....T.....T.....T.....T...J This writ petition filed under Article 32 of the Constitution seeks for the release of the petitioner who is undergoing imprisonment for life after having been convicted under Section 302 I.P.C. read with Section 34 I.P.C.. The claim of the petitioner is that he has undergone the following period of actual sentence and earned remissions :-

YEAR MONTHS DAYS

(a) From 25.6.1982 To 1.5.2000 including under trial period confinement

(b) Remissions earned or Govt. Remissions granted upto 31.12.1999

(c) Total sentence including remissions The petitioner also claims that under Section 61(1) of the West Bengal Correctional Services Act XXXII of 1992, which on Presidential assent being given came to force with effect from April 14, 2000, he is entitled to be released inasmuch as he had served the sentence and earned remissions as detailed above and was entitled to be released as on September 27, 1996. The details are set forth hereunder :-

YEAR MONTHS DAYS



1) Home Secretary	Chairman	
2) Judicial Secretary	Convenor	
3) I.G. of Prisons, West Bengal		Member
4) Secretary Home (Jails) Department	Member	
5) D.G. & I.G. of Police, West Bengal	Member	
6) Commissioner of Police, Calcutta	Member	
7) Chief Probation Officer	Member	

1. Whether the offence is an individual act of crime without affecting the society at large.
2. Whether there is any fruitful purpose of confining of this convict anymore.

1. That the police report has revealed that the two witnesses who had deposed before the trial court and the people of the locality are all apprehensive of acute breach of peace in the locality in case of premature release of the petitioner;

[illegible]