

**S.T No 02 (07) of 2022**  
**SESSIONS CASE NO. 12 OF 2020**  
**CNR-WBCS01-000290-2020**

Present: Sri Sukumar Ray  
J.O. CODE NO.WB00590  
Chief Judge,  
City Sessions Court, Calcutta

**State**

**Vs**

**Dilwar Hossain @ Umar @ Nurul @ Ali Hassan**

**09.02.2026**

**At 11:00 A.M**

1. The record is placed before this Court in pursuant to the order dated 06.02.2026.
2. The convict **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan** is produced before this Court and represented by his Learned Lawyer.
3. This Court has heard the convict on the question of sentence.
4. Convict **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan** has submitted that, he is very poor and has age old ailing parents who are passing the evening of their life. He further submits that for his misdeeds his family has also been suffering. He even does not know how his ailing aged parents are surviving without him. He also submits that he wants to return back to the main stream of the society by correcting himself and he prays for mercy of this Court and also prays for lesser punishment.
5. This Court has also asked Learned Public Prosecutor as well as Learned Advocate for the convict to assist this Court in awarding appropriate sentences.
6. Ld. Advocate for the convict submits that the convict is very poor and he is repenting for his misdeeds and he prays for lesser punishment taking lenient view, so he can return back to the mainstream of the society in order to lead a modest and moderate life.
7. Ld. Public Prosecutor submits that the convict is repenting for his misdeeds and the offence he has committed and now he has pleaded guilty which shows he has admitted his guilt but he has also repenting for his act. He further submits that such a move by the convict is certainly a step for his repentance and also for reconnecting with the society and this convict is eager to return to the mainstream of the society to lead a normal life.

8. Ld. Public Prosecutor further submits that this attitude of the convict be considered at the time of passing sentence and he also prays for highest punishment.
9. It is now 2 PM.
10. The record be placed before this Court today at 3 P.M. for awarding of sentence.

Dictated & corrected by me

Chief Judge  
City Sessions Court, Calcutta.

Chief Judge  
City Sessions Court, Calcutta.

**Later 09.02.2026**  
**At 3 P.M**

11. The record is put up pursuant to the earlier order. This Court has gone through the materials on record, once again, and also considered the submissions of the convict as well as Learned Advocates for the respective parties.
12. In **Alister Anthony Pareira v. State of Maharashtra, (2012) 2 S.C.C. 648**, the Hon'ble Apex Court held that, sentencing is an important task in the matters of crime. One of the prime objectives of the criminal law is imposition of an appropriate, adequate, just and proportionate sentence commensurate with the nature and gravity of the crime and the manner in which the crime is done. There is no straitjacket formula for sentencing an accused on proof of crime. The courts have evolved certain principles: the twin objective of the sentencing policy is deterrence and correction.
13. The Court of law should come forward to check the lawlessness in the society by awarding adequate sentence in appropriate cases to the law violators. In the circumstances, I do not propose to release the convict on probation.
14. Considering the facts and circumstances and the manner in which crime complained of was committed, I do propose to award sentence of imprisonment along with fine.
15. So, I am of the considered opinion that **eight years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **121A** of the Indian Penal Code;
16. **eight years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **120B** of the Indian Penal Code;
17. **eight years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **18** of the Unlawful Activities (Prevention) Act;

18. **eight years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **20** of the Unlawful Activities (Prevention) Act;
  19. **six years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **4** of the Explosive Substances Act;
- and
20. **six years** rigorous imprisonment along with fine of **Rs. 5,000/-** for the offence punishable under section **5** of the Explosive Substances Act will be just and proper, reasonable and adequate in the instant case.
  21. Accordingly, it is

**ORDERED ;**

that the convict namely; **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan** is sentenced to suffer –

(a) Rigorous imprisonment for **eight years** and to pay a fine of **Rs. 5,000/- (Rupees Five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under Section **121A of the Indian Penal Code, 1860.**

(b) Rigorous imprisonment for **eight years** and to pay a fine of **Rs. 5,000/- (Rupees five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under Section **120B of the Indian Penal Code, 1860.**

(c) Rigorous imprisonment for **eight years** and to pay a fine of **Rs. 5,000/- (Rupees five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under Section **18 of the Unlawful Activities (Prevention) Act, 1967.**

(d) Rigorous imprisonment for **eight years** and to pay a fine of **Rs. 5,000/- (Rupees five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under Section **20 of the Unlawful Activities (Prevention) Act, 1967.**

(e) Rigorous imprisonment for **six years** and to pay a fine of **Rs. 5,000/- (Rupees five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under section **4 of the Explosive Substances Act, 1908.**

(f) Rigorous imprisonment for **six years** and to pay a fine of **Rs. 5,000/- (Rupees five Thousand only)** in default to suffer simple imprisonment for **three months** for the offence punishable under Section **5 of the Explosive Substances Act, 1908.**

22. All the substantive sentences do run concurrently.
23. The period of imprisonment, if any, undergone by the convict during investigation, inquiry or trial of this case shall be set off against the term of imprisonment (not being the imprisonment in default of payment of fine) imposed herein above in terms of Section 428 of the Code of Criminal Procedure, 1973.
24. The convict has been apprised of his rights of appeal against the conviction and the convict has further been apprised that he is entitled to get free legal aid from Legal Services Authority as per the provision of Legal Services Authorities Act, 1987. On being asked, the convict declines to get any free legal service and submits that he accepts the sentence.
25. Let a free copy of this order be handed over to the convict, with promptitude.
26. Let a copy of this order be forwarded to the Commissioner of Police, Kolkata, and to the Superintendent of the Presidency Correctional Home for information and necessary action.

Dictated & corrected by me

Chief Judge  
City Sessions Court, Calcutta.

Chief Judge  
City Sessions Court, Calcutta.

**Later**

27. At this juncture, Ld. Advocate for the Convict **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan** files a petition praying for transfer of this convict from Presidency Correctional Home to Berhampur Central Correctional Home as he is facing hardships.
28. Heard. Considered.
29. The Superintendent, Presidency Correctional Home is directed to act in this regard within the ambit and scope of Jail Code.
30. Let a copy of this order along with a copy of petition filed on 09.02.2026 on behalf of convict **Dilwar Hossain @ Umar @ Nurul @ Ali Hassan** be sent to the Superintendent of the Presidency Correctional Home for information and necessary action.

Dictated & corrected by me

Chief Judge  
City Sessions Court, Calcutta.

Chief Judge  
City Sessions Court, Calcutta.