

ITEM NO.25

COURT NO.6

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrL.) No(s).1842/2013

(Arising out of impugned final judgment and order dated 30-03-2010 in CRA No.853/2005 passed by the High Court of Chhatisgarh at Bilaspur)

ROHIT KUMAR

Petitioner(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

(Mr. Manas Kumar Chakravarty, Advocate may be shown as Amicus Curiae)

Date : 26-11-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr.Manas Kumar Chakravarty, Adv.(A.C.)

For Respondent(s) Mr. Aniruddha P. Mayee, AOR
Mr.Chirag Jain, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Having heard learned counsel for the petitioner, we see no reason to interfere with the impugned order in exercise of our jurisdiction under Article 136 of the Constitution.

It is submitted by the learned counsel for the petitioner that the petitioner has already undergone 14 years of sentence. It is surprising that even though the petitioner has undergone 14 years of sentence, the State has not considered the case of the petitioner for premature release, nor the petitioner has made any representation to the State.

Taking into consideration the aforesaid fact, we direct the petitioner to make a representation to the Secretary (Home), Government of Chhattisgarh seeking remission in accordance with the Rules applicable to the State of Chhattisgarh. Upon making such representation by the petitioner, the Government of Chhattisgarh is directed to consider the same within a period of two months in accordance with the Remission Rules of the Government of Chhattisgarh.

With the aforesaid direction, the special leave petition stands disposed of.

However, if the case of the petitioner is not considered by the Government of Chhattisgarh within the aforesaid period or if the Government of Chhattisgarh rejects the representation of the petitioner, the petitioner is at liberty to make an application before this Court for restoration of the special leave petition.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR