

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION
WRIT PETITION (CRIMINAL) NO. 134 OF 2020

FIROZ TAIYYAB TANASHAH ... Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS. ... Respondent(s)

O R D E R

The petitioner was sentenced to death by the Trial Court for causing the death of Sureshpal Singh and Sunil in the court premises at Thane, Mumbai. The death sentence was converted to life imprisonment by the High Court vide judgment dated 21st September, 2007. The said judgment was affirmed by this Court. This writ petition has been filed by the petitioner seeking a direction to the State Government for remission and his premature release as he has undergone a sentence of 20 years. It was contended on behalf of the petitioner that the co-accused Datta Sripati Pandare and Sunil @ Amol have been released by the State Government on 06.02.2019 and 08.02.2019 respectively.

Responding to the notice issued by this Court, the State has filed its counter affidavit. Mr. Sharad Thakur, learned counsel appearing for the State submitted that the petitioner has applied for premature release under Section 2 of the U.P. Prisoners Release on Probation Act, 1938 which contemplates a procedure of summoning of report from the District Magistrate to consider the request of

the convict for premature release. In the instant case, the District Magistrate has submitted a report in which it was recommended that the petitioner cannot be given the benefit of the premature relief in view of his criminal antecedents.

As the request made by the petitioner has been considered in accordance with the U.P. Prisoners Release on Probation Act, 1938 and rejected on valid grounds, we have no reason to interfere in this writ petition and direct the State Government to grant premature release to the petitioner.

Mr. Yadav, learned counsel appearing for the petitioner submits that the petitioner may be permitted to avail other remedies available to him in law. The petitioner is at liberty to avail any other remedy which is available to him in law.

The writ petition is dismissed.

....., J.
(L. Nageswara Rao)

....., J.
(Vineet Saran)

New Delhi;
January 12, 2021.

ITEM NO.20 Court 8 (Video Conferencing) SECTION X

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

Writ Petition(s)(Criminal) No(s). 134/2020

FIROZ TAIYYAB TANASHAH Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS. Respondent(s)

(FOR ADMISSION and IA No.49397/2020-EXEMPTION FROM FILING O.T.)

Date : 12-01-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Pradeep Kumar Yadav, Adv.
 Mr. Vishal Thakre, Adv.
 Mr. Abhay Singh Yadav, Adv.
 Mr. Rudra Pratap Yadav, Adv.
 Ms. S.B. Khan, Adv.
 Mr. Sanjeev Malhotra, AOR

For Respondent(s) Mr. Sharan Thakur, AAG
 Mr. Gaurav Singh, Adv.
 Ms. Shivranjani Ralawata, Adv.
 Mr. Siddharth Thakur, Adv,
 Mr. Sarvesh Singh Baghel, AOR

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

The writ petition is dismissed in terms of the signed order.

Pending applications, if any, stand disposed of accordingly.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(BEENA JOLLY)
COURT MASTER

(Signed order is placed on the file)