

News

The Delhi High Court's judgment to release the 1993 Bowbazar bombing convict early is stayed by the Supreme Court.

Recently, the Delhi High Court ruled that Md. Rashid Khan, the convicted man, was eligible for an early release.



India's Supreme Court AI
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The Delhi High Court's recent order for the early release of Md. Rashid Khan, one of the West Bengali convicts in the 1993 Bowbazar blast case, was delayed by the Supreme Court on Monday.

In response to a petition filed by the West Bengal government contesting the Delhi High Court's decision, a bench of Justices PK Mishra and Sanjeev Sachdeva issued the interim order. Additionally, it sent Khan a notice to respond. Take note. The Court declared that the contested order will be stayed in the interim.

Justices Sanjeev Sachdeva and PK Mishra

According to the Telegraph, the "huge amount of explosives that Khan had stocked in his Bowbazar home, fearing a communal attack following the Babri Masjid demolition on December 6, 1992" caused explosions in Kolkata in 1993 that killed at least 69 people.

In 2001, a TADA Court found Khan guilty in the case. Both the Supreme Court and the Calcutta High Court subsequently upheld his conviction.

In 2015, the West Bengal administration did not protest to his release. However, due to a Supreme Court ruling, the State administration was prohibited from using its authority to release him early under Central legislation, hence his release remained stuck.

He went to the Delhi High Court in 2021 because his representation to the Central government was still pending.

On June 5, a solitary Delhi High Court judge declared that Khan was eligible for release because he had served more than 33 years in prison, including parole periods. It might not be beneficial in any way to keep the petitioner incarcerated after he has already served more than 33 years. The deterrence intended to be generated in a convict who has committed such a serious offense has been adequately satisfied by the sentence received by the petitioner. Lastly, given the petitioner's age, behavior, and illnesses, it can be concluded that the petitioner would not commit the same offense again, the High Court ruled.

The West Bengal administration has contested this ruling, though.

Additional Solicitor General SV Raju argued before the Supreme Court that the bombing had **killed 70 people and injured over 100 more. He stated that the blast also caused two structures to fall.**

Senior Advocate MR Shamshad argued that he was not found guilty of murder and that he had a number of illnesses in opposition to the State's plea. Nonetheless, the Court declared that his mind is completely functional and that he played the role of a mastermind. The Bench said, "This is almost terrorist activity."

In response, Shamshad said that Pannalal Jaiswara, a co-accused, had already received remission in 2014. The Court stated that they play distinct roles, though.

According to Shamshad, Khan has been incarcerated for 33 years and has behaved admirably. The senior lawyer stated, "He has repeatedly come out and gone back."

The Court declared that it would have to postpone the decision since it was not persuaded. It stated, "This will become infructuous if we don't grant interim relief (stay) and he is released in between."

On **July 28, the Court listed the case for additional review** and delayed the High Court's decision. Khan was given four weeks to submit a response.