

Criminal Procedure Code , 1973 (II of 1974) , S. 432, 433 - Premature release - Application for premature release - Order passed by the State government is bereft of an application of mind to relevant circumstances - Order contains general observations to the effect that the release may result in resentment on the side of the victim - The order does not contain any reference to any prior criminal history, is completely silent on the conduct and behavior of the petitioner in jail and after he was convicted and the relevant considerations bearing upon whether the release of the petitioner would pose a danger to society have not been adverted to - There has to be a considered application of mind to the facts of each case - Order set aside - Remanded to be decided afresh

[2022 SCeJ 0290 , \(2022-1\)205 PLR 722 \(SC\) , 2022 PLRonline 9102](#)

[Sharafat Ali v. State of Uttar Pradesh, 2022 SCeJ 0290 , \(2022-1\)205 PLR 722 \(SC\) , 2022 PLRonline 9102 ,](#)