



WORKING OF SENTENCE REVIEW BOARDS IN INDIA: ISSUES AND CHALLENGES

¹Animesh Jha, ²Himanshu Ranjan

¹Assistant Professor of law, Dharmashashtra National Law University, Jabalpur.

Email Id: animesh@mpdnl.ac.in

ORCID: <https://orcid.org/0009-0008-5972-9660>

²Final Year Student at National Law University, Jodhpur

Email Id: himanshu.ranjan@nlujodhpur.ac.in

ORCID: <https://orcid.org/0009-0004-9770-1125>

Article History:

Received: 20- Apr-2023

Revised: 10 - May- 2023

Accepted: 20 -May-2023

First Published: 30-Jun-2023

Cite this Article as :

Jha A & Ranjan H (2023), "Working of Sentence Review Boards In India: Issues And Challenges", International Journal of Social Sciences & Economic Environment, Vol. 8, Issue 1, 2023, pp 12-24, DOI: <https://doi.org/10.53882/IJSSEE.2023.0801002>

2



©2023 By the Author. Published By Acadres C, India. This article is an open access article published & distributed under the terms and conditions of the Creative Commons Attribution (CC BY 4.0) license. The full terms of this license may be seen at <http://creativecommons.org/licenses/by/4.0/legalcode>



The Journal follows the Best Practice guidelines and this statement is based on the guidelines and standards developed by the Committee on Publication Ethics (COPE). <https://publicationethics.org/>

ABSTRACT

Aim of the study: This research paper aims to investigate the functioning of Sentence Review Boards (SRBs) in India, focusing on the identification and analysis of key issues and challenges associated with their operation.

Design/Methodology: A comprehensive literature review was conducted to gather relevant information and insights regarding SRBs in India. The study utilized a qualitative research approach, incorporating an analysis of primary and secondary data, including legal documents, reports, and case studies.

Findings: The findings highlight several significant issues and challenges that affect the working of SRBs in India. These include procedural complexities, inadequate resources and infrastructure, inconsistent decision-making, limited transparency, and the need for enhanced training and expertise among board members.

Practical Implications: The research contributes to a deeper understanding of the functioning of SRBs in India and provides insights for policymakers, legal professionals, and stakeholders involved in criminal justice and sentencing reforms. The identified issues and challenges can inform the development of strategies and reforms to improve the effectiveness and fairness of SRBs in the country.

Originality/value: This research paper presents a comprehensive examination of the issues and challenges faced by SRBs in India, offering insights into an area that has received limited attention in existing literature. The findings and recommendations have practical implications for enhancing the functioning of SRBs and ensuring justice and fairness in the review of sentences. The authors affirm that this is an original work.

Keywords: Sentence Review Boards, criminal justice, India, issues, challenges

Paper Type: Review Paper

1. INTRODUCTION

The Sentence Review Board (SRB) is a statutory body constituted under Section 432 of the Criminal Procedure Code, 1973, which empowers the appropriate government to suspend or remit the sentences of prisoners who have been convicted of an offence. The SRB is a statutory body that reviews the sentences of prisoners who have served more than 14 years of imprisonment or have completed two-thirds of their sentence, whichever is less. It holds a significant position in the criminal justice system in our country, acting as a critical body responsible for reviewing and modifying sentences imposed on convicts. (CrPC, 1973)

However, the functioning of the SRB has been marred by several inconsistencies and controversies, especially in the context of Delhi. One of the most glaring examples is the premature release of convicts in the *Bilkis Bano* gang rape and murder case, which took place during the 2002 Gujarat riots (Kanjilal, 2023). The SRB granted remission to 11 convicts in this case, even though they had not completed 14 years of imprisonment and were facing serious charges of rape and murder. The decision of the SRB was challenged by Bilkis Bano in the Supreme Court, which stayed the release of the convicts and sought an explanation from the Delhi government. Another example is the case of Manu Sharma, who was convicted for the murder of model Jessica Lall in 1999. The SRB recommended his release in May 2020, after he had spent 17 years in jail. However, his release was opposed by many people, including Jessica Lall's sister Sabrina Lall, who questioned the criteria and transparency of the SRB's decision. (Jatin Anand, 2020) These cases highlight the need and necessity for examining the working of the SRB and its impact on justice delivery and human rights.

While it is accepted proposition that there is no right to remission, it is equally true that a convict has a right to be considered for remission before the Sentence Review Board on relevant considerations. (Zahid Hussain v. State of West Bengal, 2001)

The role of sentence review board further gains importance in light of the guidelines issued by the National Human Rights Commission (NHRC 2019), the states are required to constitute the sentence review board and the governments cannot *suo moto* act in the matter of remission without the recommendation of the board. It has been held that the courts are bound to check on the arbitrary remissions.

2. OBJECTIVE OF THE STUDY

The aim of this paper is to analyse the various aspects of the SRB's functioning focusing on the identification and analysis of key issues and challenges associated with their operation and suggest some recommendations for its improvement.

3. RESEARCH METHODOLOGY

The primary objective of the research is to analyze the functioning of the Sentence Review Board (SRB) and provide recommendations for its improvement. To achieve this objective, the following research methods will be employed:

1. **Legal Analysis:** The legal provisions, guidelines, and court judgments related to the SRB will be analyzed in detail. This analysis will involve a critical examination of the

relevant laws and regulations governing the formation, composition, and powers of the SRB. It will also explore the role of the Sessions Judge in recommending suspension or remission of sentences and its impact on the SRB's decision-making process.

2. **Case Study Analysis:** Selected case studies involving controversial decisions of the SRB will be analyzed in-depth. These case studies will provide insights into specific instances where the SRB's functioning has been called into question, such as premature releases or inconsistent decision-making. The analysis will involve examining the facts of the cases, reviewing court judgments, and identifying key issues and challenges faced by the SRB.

The combination of these research methods will provide a comprehensive analysis of the functioning of the SRB, its challenges, and areas for improvement. The research findings will be presented in a structured manner, addressing the research objectives outlined in the introduction section of the paper.

4. CONSTITUTION AND COMPOSITION OF SRB

One of the most important aspects of criminal justice reform in India is the establishment and functioning of the Sentence Review Board (SRB). The SRB is a statutory body that reviews the sentences of prisoners who have served more than 14 years of imprisonment or have completed two-thirds of their sentence, whichever is less. The SRB has the power to recommend remission, commutation, or release of such prisoners, based on various criteria such as their conduct, rehabilitation, and social reintegration. (Chitranshi 2021)

The SRB is composed of members from different backgrounds and expertise, such as the Chief Secretary of the State, the Director General of Prisons, the Inspector General of Prisons, a representative of the State Legal Services Authority, a social worker, a psychologist, and a medical officer. The SRB also invites the views of the victim or their family, the public prosecutor, and the prison superintendent before making its recommendation. The SRB aims to balance the interests of justice, human rights, and public safety, while ensuring that prisoners are given a fair chance to reform and reintegrate into society.

The proper constitution of the Sentence Review Board (SRB) is of utmost importance to ensure its effective functioning. However, there have been instances where the constitution of the SRB has been called into question. In one such case, the West Bengal government formed a Sentence Review Board without including a Sessions Judge as a member, contrary to the guidelines of the National Human Rights Commission (NHRC). Consequently, the court invalidated the proceedings of the board and directed the government to reconstitute it in accordance with the NHRC guidelines. This highlights the significance of adhering to proper constitution procedures for the SRB. (Anirudha Halder & Another v. State of West Bengal, 2023)

Another recent case that shed light on the issue of improper constitution of the SRB (*Dilip S. Shetye v. Sentence Review Board &*, 2020). The court examined the case of a convict who had been sentenced to life imprisonment for the murder of his pregnant wife. Having served 20 years in prison, considering the remissions earned due to good behaviour, the convict's plea for premature release was repeatedly rejected by the Sentence Review Board on seven different occasions. The board cited the seriousness of the offense and the Superintendent of Police's report, which expressed concerns about potential threats to the victim's family and witnesses upon the convict's release. Additionally, the Probation Officer's report mentioned objections from the victim's mother and brother regarding the convict's release.

However, it was observed that the convict had exhibited exemplary behaviour while on parole or furlough. Furthermore, his place of residence was far removed from the victim's family, and he expressed willingness to provide all necessary assurances of good conduct. In this case, even the Sessions Judge recommended the release of the convict. Expressing disappointment with the functioning of the Sentence Review Board, the High Court emphasized that relying solely on the severity of the crime could not be a sufficient ground for rejecting a plea for remission. The Court held that since the board had repeatedly rejected the plea, it would be futile to send the case back to the board. Consequently, the Court ordered the release of the convict, disregarding the opinion of the Sentence Review Board.

It is noteworthy that the Supreme Court has recognized that when courts refer cases for reconsideration to the Sentence Review Board, such reconsideration does not necessarily indicate that the board should alter its previous decision or that it implies overruling of its earlier stance. This judicial stance provides a certain degree of freedom for the board in its deliberations (*State of West Bengal v. B.K. Srivastava*, 2013).

5. ROLE OF SESSION JUDGE

According to Section 432(2) of the Code of Criminal Procedure, 1973, the process of remission necessitates a recommendation from the presiding judge of the court that tried and sentenced the convict. However, the plain reading of the section fails to clarify the stage at which the recommendation should be obtained. The Bombay High Court has determined that the Sentence Review Board does not possess the authority to summon the report from the Sessions Court or request the presence of the presiding judge of the sentencing court. It was established that the role of the Sentence Review Board is confined to making recommendations, while the final decision lies with the appropriate government, which can either accept or reject the board's recommendation. In contrast, the judgments of the Himachal Pradesh High Court do not consider it unlawful for the board itself to solicit and consider the report from the presiding judge, leading to ambiguity in the legal position (*Satya Prakash v. State of Himachal Pradesh*, 2020).

It is argued that the opinion of the presiding judge should be evaluated within a contextual or prospective framework. It is important to note that the opinion is obtained from the presiding judge of the court that sentenced the convict, who may not be the same judge

who presided over the original trial, but rather a successor to the position. A judge who assumes the role many years after the trial and sentencing solely relies on case records without any first-hand insight. Even the Supreme Court recently opined that the governments and higher courts should not mechanically accept the opinion of the presiding judge while considering cases of remission (*Ram Chander v. State of Chattisgarh*, 2022). Merely basing the recommendation on the gravity of the offense was deemed inappropriate. Additionally, considering a crime as heinous solely because it falls under Section 302 was deemed problematic, as all offenses falling under this section are inherently heinous. If judges continue to reject remission pleas on this basis, Section 432 of the Code of Criminal Procedure would lose its significance (*Lekh Raj v. State of Himachal Pradesh*, 2019).

In another case, the court, while adjudicating on a conflict of opinion between the Sentence Review Board and the presiding judge of the sentencing court, held that the competent authority has a duty to exercise discretion cautiously (*Rohan Dhungat v. State of Goa*, 2022). It is further argued that the opinion of a single judge should not outweigh the collective opinion of multiple senior officers who form a collective viewpoint on the issue of remission.

Furthermore, in a separate case, the Bombay High Court expressed disappointment with the opinion expressed by the presiding judge, who recommended against the premature release of an individual solely because the convict's sentence had been upheld by the Supreme Court on appeal (*V.V. Mohan v. State of Goa*, 2021)

6. DELAY IN WORKING OF SENTENCE REVIEW BOARD

The delay in the functioning of the Sentence Review Board can have harmful consequences for various stakeholders involved in the criminal justice system. One significant issue arising from such delays is the denial of timely justice. The primary purpose of the Sentence Review Board is to review and consider the release of eligible prisoners who have served a significant portion of their sentence. However, when there are delays in the board's functioning, it prolongs the period of incarceration for deserving individuals, denying them the opportunity for timely justice and potential rehabilitation. This delay can lead to frustration, despair, and loss of hope among prisoners, ultimately impacting their mental well-being.

Moreover, delayed reviews by the Sentence Review Board contribute to prison overcrowding. When eligible prisoners are not released in a timely manner, it adds to the burden on correctional facilities, stretching their capacity beyond limits. Overcrowded prisons not only affect the living conditions of inmates but also compromise their safety and security.

The inefficiency in the justice system is another consequence of delays in the functioning of the Sentence Review Board. Such delays reflect underlying issues such as a lack of resources, infrastructure, and personnel necessary to conduct timely reviews. This inefficiency undermines the trust and credibility of the justice system and hinders its ability to deliver justice effectively.

Furthermore, delayed reviews can disproportionately affect marginalized groups, including individuals from economically disadvantaged backgrounds or those belonging to

marginalized communities. These individuals may lack the means to access legal representation or advocate for their rights, making them more vulnerable to extended periods of imprisonment without proper review.

The prolonged incarceration due to delayed reviews also places an additional burden on public resources. Taxpayers bear the financial costs associated with prolonged imprisonment, including the provision of food, healthcare, and other essential services to incarcerated individuals. Timely release through an efficient review process can help alleviate these financial burdens.

Moreover, the delay in the functioning of the Sentence Review Board disrupts the process of rehabilitation and reintegration of prisoners into society. The board plays a crucial role in assessing the potential for a convict's reformation and their readiness to reintegrate into the community. Delays in this process hinder the opportunities for prisoners to receive necessary programs, training, and support that can contribute to their successful reintegration, increasing the chances of recidivism.

In the case of *'Mangaldas v. State of Goa'*, the Bombay High Court examined a significant factor contributing to the delay in the proceedings of the Sentence Review Board (Mangaldas v. State of Goa, 2022). The functioning of the board relies on receiving reports from various agencies to make informed decisions. These reports are typically sought from local police authorities, prison administration, welfare authorities, probation officers, and other relevant stakeholders. However, it has been observed that the submission of these reports is often delayed, consequently causing delays in the deliberations of the Sentence Review Board.

To address this issue, the court instructed the government to take necessary measures to ensure that the reports from the concerned agencies are submitted in a timely manner. By ensuring the timely submission of these reports, the deliberations of the Sentence Review Board can proceed without unnecessary delays, facilitating a more efficient and effective review process.

7. RELEVANT CONSIDERATIONS FOR SRB ON PREMATURE RELEASE OF PRISONERS

The Sentence Review Board (SRB) is a statutory body that has the power to suspend or remit sentences of prisoners who have been convicted of offences under the Indian Penal Code, 1860 and other special laws in force. The SRB is supposed to consider various factors such as the nature and gravity of the offence, the conduct of the prisoner, the impact on the victim and society, and the possibility of reformation and rehabilitation of the prisoner before deciding on their premature release .

However, in recent times, the SRB has come under severe criticism from various courts for its arbitrary and irrational decisions.

In a case where the Sentence Review Board (SRB) solely relied on the report of the Superintendent of Police while ignoring other relevant considerations, such as the reports of the prison authority, the High Court rejected the decision on the grounds that it lacked rational and sufficient considerations (*Vinesh Fal Dessai v. State of Goa*, 2021). This

highlights the importance of the SRB taking into account all pertinent factors and information before making a decision on the premature release of prisoners.

Similarly, in a recent case, the High Court heavily criticized the reliance of the police on the opinion of neighbours to provide an adverse report (*Zahid Hussain v. State of West Bengal*, 2001). The court recognized the need for the SRB to base its decisions on reliable and objective information, rather than potentially biased or unreliable sources.

In another instance before the High Court of Himachal Pradesh, the Bench criticized the working of the SRB for issuing orders with stereotype reasoning and without applying proper scrutiny (*Kamal Bahadur v. State of Himachal Pradesh*, 2023). This highlights the expectation that the SRB should exercise a thoughtful and individualized approach in their decision-making process, rather than relying on generalizations or preconceived notions.

The Odisha High Court also encountered a case where the SRB failed to provide any reasons or rationale behind their opinion, going against the weight of reports and considerations. This lack of transparency and justification raises concerns about the decision-making process of the SRB, emphasizing the need for proper reasoning and thorough analysis.

Furthermore, in a case decided by the Odisha High Court, the recommendations made by the SRB and the subsequent decision taken by the State Government based on those recommendations were rejected. The court observed that the SRB's recommendations were based on flimsy grounds and indicated a lack of careful consideration (*Roshan Ali v State of Odisha*, 2022). This underscores the expectation that the SRB should demonstrate a reasonable and well-founded decision-making process, with due diligence and a thorough examination of relevant factors.

8. ISSUES RELATED TO COMPETENT AUTHORITY

During the COVID lockdown, a case decided by the Calcutta High Court addressed the issue of prison overcrowding. The court observed that 118 cases, which had already been decided by the Sentence Review Board and recommended for remission, were pending before the judicial department of the state government. In light of this, the court directed the government to expeditiously make decisions concerning these matters and release the prisoners accordingly. This case underscores the urgency of addressing prison overcrowding during extraordinary circumstances. (*Overcrowding in Prison*, 2019)

In another case before the High Court of Himachal Pradesh, the Sentence Review Board recommended the release of a convict, but the State Government rejected the application through a cryptic and non-speaking order. The High Court deemed this rejection illegal and in conflict with established remission jurisprudence (*Kashmir Singh v. State of Himachal Pradesh*, 2014). This highlights the importance of the State Government providing clear and reasoned justifications for its decisions on prisoner release, ensuring adherence to legal principles.

A conflict arises when a case involves the Central Government. In the case of '*Kartik Subramaniam v. Union of India*', the issue of the competent authority was considered (*Kartik Subramaniam v. Union of India*, 2021). In this particular case, the Central Bureau of Investigation conducted the investigation, while the prosecution was conducted by the State Authority. Upon becoming eligible, the convict applied for remission, which was approved by the state Sentence Review Board and accepted by the Lt. Governor of Delhi. However, the Central Government objected to the prisoner's release, leading to the matter being brought before the court.

The court, without delving into the question of whether the Central Government is the competent authority in this case, observed that the objection raised by the Central Government was unfounded. It emphasized that the government should have provided valid reasons for rejecting the recommendations of a properly constituted Sentence Review Board, even if it was constituted by the state government. The court further asserted that the process of remission falls within the scope of Article 14 of the Constitution, and the Central Government cannot refuse remission based on arbitrary discretion. This case highlights the need for the government to provide substantive justifications when overriding the decisions of a duly constituted Sentence Review Board, ensuring adherence to constitutional principles and the rule of law.

9. PROBLEMS OF SRB

One significant issue often raised regarding the functioning of the Sentence Review Board is the lack of application of mind or a mechanical approach adopted by the board. Frequently, the board's meetings are irregular, and even when meetings do occur, the board considers an excessive number of cases, undermining the possibility of fair consideration (*Gopal Sarkar v. State of West Bengal*, 2022). This raises concerns about the quality and thoroughness of the review process.

Another issue is the lack of objectivity observed in some cases. In an interesting instance, it was brought to light that the Sentence Review Board employs extremely vague, ambiguous, and cryptic language in its proceedings. The board utilizes various terms such as "Support," "Not Supported," "Neither support nor oppose," "Recommended," "Not recommended," "Opposed," "Strongly opposed," "No objection," and "Not objected" without establishing a clear standard or understanding of their precise meaning. This ambiguity creates confusion and hampers the parties' ability to grasp the true nature of the board's decisions. It also undermines the necessity of providing proper justifications for the recommendations made. Furthermore, the board has been observed to provide different recommendations in almost identical cases, further questioning the consistency and fairness of their decisions.

In a specific case, a 77-year-old convict was denied remission without a proper assessment of the case's nature and circumstances. The court highlighted that the board sometimes fails to appreciate the facts of the case and overly relies on the submissions of the police. In this instance, the accused was found guilty of abetment, but the board rejected the

remission application assuming that the convict was the principal offender. This discrepancy demonstrates a lack of careful consideration and understanding of the specific details and roles of individuals involved in the case.

These issues raise concerns about the effectiveness and reliability of the Sentence Review Board's decision-making process. It is crucial for the board to demonstrate a more diligent and meticulous approach, ensuring fair consideration of each case, providing clear justifications for its recommendations, and avoiding inconsistencies and inaccuracies in its assessments (Wahid Ahmed v. State: NCT of Delhi, 2022). This would help uphold the principles of justice, fairness, and the rule of law in the review of prisoners' cases.

10. GUIDELINES OF NHRC

The Sentence Review Board functions as an independent judicial body responsible for reviewing sentences, yet it is required to adhere to the considerations outlined in the prison rules, NCRB guidelines, as well as the pronouncements of the Supreme Court and High Courts. While the board maintains its autonomy during deliberations, it is obligated to abide by these guidelines and pronouncements that provide guidance on the review process. (Suresh Chanappa, 2021)

The National Human Rights Commission (NHRC) issued guidelines titled '*Premature Release of the Prisoners Undergoing Sentence of Life Imprisonment-Eligibility Criteria for, Constitution of Sentence Review Boards and Procedure to be followed*' dated 20th October, 1999 recognizing the lack of uniformity among the States in the premature release process. It also recommended the setting-up a Sentence Review Board at the State level to consider and decide the cases of premature release requests. (National Human Rights Commission, 2019).

According to guidelines of the NHRC, it is stated that every convicted prisoner, regardless of gender, who is serving a life imprisonment sentence and falls under the provisions of Section 433A of the Code of Criminal Procedure (Cr.PC), may be considered for premature release from prison after completing 14 years of actual imprisonment, without considering any remissions. However, it is important to note that completing 14 years in prison does not automatically entitle a convict to be released. The decision lies with the Sentence Review Board, which has the discretion to release a convict at an appropriate time, taking into account various factors such as the circumstances surrounding the crime, the conduct of the convict during the 14 years of incarceration, the potential for rehabilitation, and the socio-economic condition of the convict's family. (National Human Rights Commission, 2019).

To ensure uniformity, the State/UT Governments are advised to specify the total period of imprisonment to be served, including remissions, with a minimum requirement of 14 years of actual imprisonment before considering the release of a convict. The NHRC suggests that the total period of incarceration, including remissions, in such cases should generally not exceed 20 years. Section 433A was enacted to prevent premature release before completing 14 years of actual imprisonment for convicts convicted of a capital offense. The NHRC suggests that within this category, a reasonable classification can be made based on

the magnitude, brutality, and gravity of the offense for which the convict was sentenced to life imprisonment. Certain categories of convicts serving life sentences may be eligible for consideration of premature release only after completing 20 years of imprisonment, including remissions, and the total period of incarceration, including remissions, in such cases should not exceed 25 years (National Human Rights Commission, 2019).

The NHRC guidelines also provides examples of categories of convicts who may be eligible for consideration of premature release after 20 years of imprisonment, including remissions. These categories include convicts imprisoned for heinous murder cases involving rape, dacoity, offenses under the Protection of Civil Rights Act 1955, dowry-related murders, murders of children below 14 years, multiple murders, murders committed while in jail or during parole, murders in terrorist incidents, murders in smuggling operations, and murders of public servants on duty. It also mentions gangsters, contract killers, smugglers, drug traffickers, racketeers convicted of murder committed with premeditation and exceptional violence or perversity. Convicts whose death sentences have been commuted to life imprisonment are also included in this category (National Human Rights Commission, 2019).

For all other male convicts serving life sentences not covered by Section 433A of the Cr.PC, they may be considered for premature release after serving a minimum of 14 years of imprisonment, inclusive of remissions, but only after completing 10 years of actual imprisonment without considering remissions. Female prisoners not covered by Section 433A may be considered for premature release after serving a minimum of 10 years of imprisonment, inclusive of remissions, but only after completing 7 years of actual imprisonment without remissions (National Human Rights Commission, 2019).

11. CONCLUSION & WAY FORWARD

In conclusion, the problems surrounding the functioning of the Sentence Review Board are evident and require immediate attention. The non-application of mind, mechanical approach, irregular meetings, lack of objectivity, and ambiguous language used by the board undermine the fairness and effectiveness of the review process. These issues not only impede the timely and just consideration of cases but also raise doubts about the board's ability to make well-informed and rational decisions.

To address these concerns and pave the way forward, several steps can be taken. First and foremost, there is a need for the Sentence Review Board to adopt a more diligent and comprehensive approach in its proceedings. This includes ensuring regular and timely meetings, reducing the caseload to allow for thorough consideration, and enhancing the board's understanding of legal terminology and principles to eliminate ambiguity.

Additionally, it is essential to promote objectivity and fairness within the board's decision-making process. This can be achieved by providing clear guidelines and criteria for assessing cases, avoiding over-reliance on specific stakeholders' opinions, and thoroughly evaluating the facts and circumstances of each individual case.

Moreover, there should be increased accountability and transparency in the functioning of the Sentence Review Board. Regular monitoring and evaluation of its activities can help identify any systemic issues and ensure compliance with established

protocols. This could involve the establishment of an independent body responsible for overseeing the board's operations and addressing any complaints or grievances.

Furthermore, adequate training and capacity building programs should be provided to the members of the board to enhance their knowledge and understanding of legal principles, human rights, and the importance of a fair and just review process.

Ultimately, the aim should be to strengthen the integrity and credibility of the Sentence Review Board, ensuring that its decisions are based on rational and sufficient considerations, adhere to the principles of justice and fairness, and contribute to the rehabilitation and reintegration of prisoners into society.

By implementing these measures, the criminal justice system can take significant strides towards a more effective and equitable functioning of the Sentence Review Board, thereby upholding the principles of justice, protecting the rights of prisoners, and promoting a fair and just society.

ACKNOWLEDGEMENTS

Funding: No publicly-funded organizations provided financial support for this study.

Authors' contributions: Each author has committed to be fully accountable for all elements of the work, including data analysis, drafting, and revising.

Declaration of Conflicts of Interests: There is no conflict of interest, as stated by the authors.

Data Availability Statement: The databases created and/or analysed during this study are freely available to the public and can be obtained from the corresponding author.

Declarations: The authors confirm that this is an original work that has not been published elsewhere.

REFERENCES

- Anirudha Halder & Another v. State of West Bengal (2023) SCC OnLine Cal 758. Retrieved from: <http://www.scconline.com/DocumentLink/44DK8EF3>.
- Chitranshi, I. (2021). A socio-Legal study of Punishment with Reference to Reformatory theory of Punishment. Retrieved from: <http://27.0.180.247:8071/jspui/bitstream/123456789/624/1/ISHA%20CHITRANSHI%20CSL%201200997021.pdf>.
- Dilip S. Shetye v. Sentence Review Board & Ors (2020) SCC OnLine Bom 2373. Retrieved from: <http://www.scconline.com/DocumentLink/t3IFtEDW>.
- Gopal Sarkar v. State of West Bengal, SCC OnLine Cal 2496 (Cal HC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/KekL517e>.

- Jatin Anand (2020, June 02). Jessica Lal murder convict Manu Sharma walks out of Jail. The Hindu. Retrieved from [Jessica Lal murder convict Manu Sharma walks out of jail - The Hindu](#).
- Kanjilal, A. (2023). An Unjust Mercy: Locating the Illegalities in the Release of the Convicts in the Bilkis Bano Case. Indian Journal of Gender Studies, 30(2), 209–216. DOI: <https://doi.org/10.1177/09715215231159285>
- Kamal Bahadur v. State of Himachal Pradesh, SCC OnLine HP 367 (HP HC 2023). Retrieved from: <http://www.scconline.com/DocumentLink/61O2Dlc2>.
- Kartik Subramaniam v. Union of India, SCC OnLine Del 3594 (Del HC 2021) Retrieved from: <http://www.scconline.com/DocumentLink/CWQ18G19>.
- Kashmir Singh v. State of Himachal Pradesh, SCC OnLine HP 2580 (HP HC 2014). Retrieved from: <http://www.scconline.com/DocumentLink/Ok88cd5v>.
- Lekh Raj v. State of Himachal Pradesh, SCC OnLine HP 375 (HP HC 2019) Retrieved from: <http://www.scconline.com/DocumentLink/9Fj0537S>.
- Mangaldas v. State of Goa, SCC OnLine Bom 1353 (Bom HC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/dgOk07vR>.
- National Human Rights Commission. (2019). Procedure/guidelines on premature release of prisoners. Retrieved from: <https://nhrc.nic.in/sites/default/files/prematurerelease.pdf>.
- Overcrowding in Prison, In re, SCC OnLine Cal 6920 (Cal HC 2019). Retrieved from: <http://www.scconline.com/DocumentLink/553Kcykm>.
- Ram Chander v. State of Chattisgarh, SCC OnLine SC 500 (SC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/7v26K47r>.
- Rohan Dhungat v. State of Goa, SCC OnLine Bom 1609 (Bom HC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/UD1qz1tI>.
- Roshan Ali v. State of Odisha, SCC OnLine Ori 2914 (Ori HC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/FIjfCMI4>.
- Satya Prakash v. State of Himachal Pradesh, SCC OnLine HP 3648 (HP HC 2020). Retrieved from: <http://www.scconline.com/DocumentLink/q2kDfOA6>.
- Suresh Chanappa Rep. by his next friend Shantanu Salgaonkar v. State of Goa and Ors., SCC OnLine Bom 639 (Bom HC 2021). Retrieved from: <http://www.scconline.com/DocumentLink/dDmMV6OH>.
- State of West Bengal v. B.K. Srivastava (2013) 3 SCC 425. Retrieved From: <http://www.scconline.com/DocumentLink/mw69kpo0>
- The Criminal Procedure Code (CrPC, 1973) § 432 (India). Retrieved from: <http://www.scconline.com/DocumentLink/72Mk5H3P>.

V.V. Mohan v. State of Goa, SCC OnLine Bom 3643 (Bom HC 2021). Retrived from: <http://www.scconline.com/DocumentLink/Mt431DPF>.

Vinesh Fal Dessai v. State of Goa, SCC OnLine Bom 1187 (Bom HC 2021). Retrieved from: <http://www.scconline.com/DocumentLink/23Zf58El>.

Wahid Ahmed v. State (NCT of Delhi), SCC OnLine Del 2948 (Del HC 2022). Retrieved from: <http://www.scconline.com/DocumentLink/uzg6iBQv>.

Zahid Hussain v. State of West Bengal, 3 SCC 750 (SC 2001). Retrieved from: <http://www.scconline.com/DocumentLink/zk809Hx0>.