

News

The Supreme Court mandates the release of all prisoners who are still incarcerated after serving their sentences.



Sukhdev Pehalwan, a convicted murderer in the Nitish Katara case, entered a plea, and the court granted it.

Jail Supreme Court

State governments and Union Territories (UTs) nationwide were recently instructed by the Supreme Court to free all convicted individuals who remain behind bars after serving their terms.

A bench of Justices BV Nagarathna and KV Viswanathan directed the authorities to determine whether any convicted individuals are staying in jail past their sentence in a ruling issued on July 29. The Court ordered that such individuals be released if they were discovered.

To find out if any accused or convicted person has stayed behind bars after serving their sentence, the Registry of the Court should distribute copies of this order to the home secretaries of each state and UT. If so, give orders for the release of those prisoners who aren't needed in any other situations," the court mandated.

Additionally, it instructed that the judgment be sent to the national, state, UT, and district legal services authorities for appropriate execution.

The Court issued the directives in response to a plea for release from prison submitted by Sukhdev Pehalwan, a convicted murderer in the Nitish Katara case.

In 2002, Katara, a business executive, was abducted and killed in what the trial court referred to a "honor killing." The son of a former MP, Vikas Yadav, had objected to his sister's purported liaison with Katara.

In 2008, the trial court found Vikas Yadav and two other co-accused, Vishal Yadav and Sukhdev Pehalwan, guilty of the crime and sentenced them to life in prison.

The case also made its way to the Supreme Court after the Delhi High Court maintained this jail sentence. The Supreme Court upheld the sentence in October 2016, adding that Pehalwan would serve 20 years in prison without the possibility of release and Vikas and Vishal Yadav would face 25 years of harsh imprisonment.

In March of this year, Pehalwan served his 20-year prison sentence.

He was not freed in March because his furlough application was still pending.

He was released from prison after being granted furlough on June 25.

On July 29, the court ruled that he ought to have been freed in March.

Additionally, it stated that the sentence review board is not permitted to make decisions about orders that have already been decided by the courts.