

ABSTRACT

EXERCISE OF PREROGATIVE OF MERCY BY THE PRESIDENT OF BANGLADESH: AN INTERPRETATION WITH COMPARATIVE STUDY

***MAHMUDUL HASAN SABUZ¹**

The president of Bangladesh has all the right to pardon which implies an exclusive judicial power even after the final decision of the highest court but he has all the obligations to be just also. While being kind to the murderers should he have not also considered the grief of the family members of the victims, and the much bigger question of justice and rule of law? Its exercise to cease conviction or reduce penalty draws widespread criticism too often and this contention appears as a concern to a responsible elected government. Invariably, the ultimate observation of this prerogative as constitutional safeguard to prevent miscarriage of justice can be undermined by its irrational practice. In determining the incredibility, this prerogative of mercy of the President of Bangladesh should be rectified with the most possible constitutional and judicial approaches. Otherwise it would harm both the esteem of the office of the president and the reputation of the person occupying it.

Keywords: *Prerogative, Mercy, Presidential clemency, judicial review.*

¹Research Associate, Alliance Laws, Dhaka, Bangladesh.