

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Criminal Writ Petition No. 469 of 2015

(Amjadhkhan S/o Nasratkhan Pathan Vs. State of Mah. through its Secretary,
Home Dept. and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri Nitesh Samundre, Advocate for petitioner
Smt. K. S. Joshi, APP for the State/respondent nos. 1 to 3

CORAM : B. R. Gavai and P. B. Varale, JJ.

DATE : 12-10-2015.

The petitioner has approached this Court with a grievance that the petitioner has been illegally detained in prison with effect from 17-5-2015 and for setting aside the order passed by the Ad-hoc District Judge-1 and Additional Sessions Judge, Nagpur dated 20-5-2015.

According to the petitioner, the petitioner has been granted remission and the petitioner ought to have been released on 17-5-2015. However, the proposal of prison punishment on account of late surrender is still pending with the District and Sessions Judge, Nagpur for appraisal.

The perusal of the chart at paragraph no. 3 of the affidavit in reply dated 22-7-2015 would reveal that the petitioner has surrendered belatedly on five occasions. In that view of the matter, we do not find any substance in the writ petition and same is accordingly rejected. However, learned District and Sessions Judge, Nagpur before whom the

.....2/-

proposal of prison punishment is pending, is directed to decide the said proposal as expeditiously as possible and preferably within a period of one month from today.

JUDGE

JUDGE

wasnik

...../-