

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION (CWP) NO. 651 OF 2014

(Mahendra Digambar Deshmukh vs. State of Maharashtra thr. Secretary, Home Department & Anr.)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
JUNE 08, 2015.**

Heard Ms. Choubey, learned counsel (appointed) for the petitioner and Shri Mirza, learned APP for the respondents.

Perused the reply filed by the State Government.

As on 30.09.2014, the petitioner had completed 12 years, 3 months and 3 days of punishment. According to him, after appropriate categorization and remission, he is entitled to undergo imprisonment only for 22 years.

The learned APP has submitted that his grievance has been looked into by the office of Deputy Inspector General of Prison, Eastern Region, Nagpur and it has been further forwarded to the Additional Director of Police and Inspector General of Prison, Pune and it is pending at that stage. The power to pass appropriate final orders is with the State Government and as and when the matter is placed before it, the State Government will pass necessary orders.

According to him, therefore, at this stage, no cause of action has arisen in favour of the petitioner.

In September 2014, the petitioner had completed about 12 years. Even if his grievance is accepted to be correct, he completes 22 years in prison in September 2024. As such, when the matter is being looked into by the competent authorities, we direct them to consider the proposal and take suitable action upon it within a period of four months from today.

With these directions and keeping all rival contentions open, we dispose of the present petition.

The fees of learned counsel appointed for the petitioner is quantified at Rs.1,500/- (Rs. One thousand and five hundred only).

JUDGE

JUDGE

*GS.