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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.470/2016

Narsing s/o Motilal Arshid,
age major, occu.Prisoner No.C-4326,
r/o At present in Open Prison,
Paithan Dist.Aurangabad.

...Petitioner..

Versus

1] State of Maharashtra,
through Secretary,
Home Department, Mantralaya,
Mumbai-32.

2] The Inspector General of
Prisons, Maharashtra State,
Pune.

3] The Superintendent of Open Prison,
Paithan Dist.Aurangabad.

...Respondents...

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Smt.B.B. Gunjal, Advocate appointed for petitioner.
Shri K.S. Patil, APP for respondent nos.1 to 3.

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**CORAM: R.M. BORDE &
K.L. WADANE, JJ.**

DATE: 02.05.2016

ORAL JUDGMENT (Per Borde, J.) :

1] Heard learned counsel for the parties. Rule.
Rule made returnable forthwith and with the consent of

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learned counsel for the parties, the petition is taken up for final disposal at the stage of admission.

2] The petitioner is praying for issuance of directions to the respondent – authorities to consider the proposal for his premature release from prison. The petitioner is a life convict undergoing sentence of imprisonment at Open Prison, Paithan. The petitioner was arrested on 10.5.2001 and has undergone a total period of actual imprisonment for 14 years 7 months and 21 days. He is held entitled for remissions of 9 years and 9 days. As such the total period of imprisonment undergone by the petitioner till 31.3.2016 is 23 years and 8 months. The petitioner has been categorized as Category No.2(C) prisoner as per the Government resolution dated 11.4.2008 and is entitled to be released on completion of 26 years imprisonment. A proposal in that regard has been tendered to the Principal Secretary of the State Government on 23.2.2015 and the same is stated to be pending.

3] In this view of the matter, the instant petition can be disposed of by directing the respondents to take decision on the proposal as expeditiously as possible and

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preferably within a period of four months from today.

Rule is made absolute in above terms.

6] Learned counsel Smt.B.B. Gunjal appointed to assist the Court shall be paid legal remuneration of Rs.5,000/-.

(K.L. WADANE, J.)

(R.M. BORDE, J.)