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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**BENCH AT AURANGABAD**

**CRIMINAL WRIT PETITION NO.479/2016**

Deepak s/o Maruti Parte,  
age major, occu.Prisoner No.C-4318,  
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...

.....

Smt.B.B. Gunjal, Advocate appointed for petitioner.  
Shri S.J. Salgare, 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 his premature release from prison since according to him, he has completed the period of imprisonment. The petitioner is the life convict undergoing imprisonment at Open Prison, Paithan.

3] It is informed that the petitioner has completed jail term of about 23 years togetherwith the remissions and he has been categorized as Category 4(C) prisoner as per the Government resolution dated 11.4.2008. The petitioner is entitled to be released on completion of 24 years of imprisonment and proposal in that regard has been already transmitted to the Government on 13.10.2014.

4] The learned APP appearing for the State, on instructions, informs that appropriate decision would be taken on the said proposal by the State Government as expeditiously as possible and preferably within a period of two months from today.

5] In this view of the matter, the criminal writ petition stands disposed of with a direction to the respondents to take appropriate decision on the proposal tendered on 23.10.2014 within a period of two months from

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today. Rule is accordingly made absolute.

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.)**