

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL PUBLIC INTEREST LITIGATION NO.13 OF 2014**

Tushar Maruti Pabale ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
CRIMINAL APPLICATION NO.9 OF 2014
IN
CRIMINAL PUBLIC INTEREST LITIGATION NO.13 OF 2014**

Pankaj Bapu Gaikwad ...Applicant

Versus

The State of Maharashtra & Ors. ...Respondents

...

Mr. Nikhil Kunal Chaudhari for the Petitioner.

Mr. K.V. Saste, APP for Respondent Nos.1 to 5.

Mr. Subhash D. Jadhav i/b. ALMT Legal for Respondent No.6.

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 15th NOVEMBER, 2016.

P.C. :

We have perused the earlier orders and in particular order dated 25th February, 2014 passed by this Court.

2. The learned counsel appearing for Respondent No.6 placed on record a copy of Extraordinary Government Gazette dated 26th August, 2016 by which the Maharashtra Prisons (Mumbai Furlough and Parole Amendment) Rules, 2016 have been notified. It is provided therein that the

said amended Rules shall come into force from the date of its publication in the official gazette. A copy of the official gazette is taken on record and marked as 'A1' for identification. Thus, the amended Rules have come into force. As far as the grievance in relation to Respondent No.6 is concerned, now the same has become academic with the passage of time. However, the larger issue raised by the Petitioner in this petition will not survive in view of the aforesaid amended Rules of 2016. Therefore, it is not necessary to keep this petition pending and the same is accordingly disposed of.

3. The criminal application No.9 of 2014 does not survive and hence disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)