

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

CRIMINAL WRIT PETITION NO.114 OF 2016

[Mangesh Madhav Kapate .vs. State of Maharashtra and others]

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

Court's or Judge's orders

 Mrs. Sneha S. Dhote, Advocate [Appointed] for petitioner,
 Mr. Vishal Gangane, APP for respondents.

CORAM : B.R. GAVAI AND
MRS. SWAPNA JOSHI, JJ.

DATED : APRIL 13, 2016.

The petitioner has approached this court being aggrieved by order dated 22.09.2015 passed by Superintendent of Prison, Nagpur, vide which the penalty of prison punishment in the ratio of 1 x 4 has been imposed.

The State Government, vide Notification dated 2.8.2011, has laid down the guidelines for imposing prison penalty in the matter of late surrender. The guidelines have been issued to avoid arbitrariness in exercise of the discretion. We find that the penalty imposed in accordance with the guidelines.

In that view of the matter, no interference is warranted. Criminal Writ Petition is rejected.

Fees payable to the learned counsel appointed for the petitioner are quantified at Rs.1,500/-.

JUDGE

JUDGE