

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

CRIMINAL WRIT PETITION NO.566 OF 2015

[Abdul Gani Ismail Turq .vs. Deputy Inspector General (Prisons) (East), Nagpur and one]

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

Court's or Judge's orders

Shri Mir Nagman Ali, Advocate for the petitioner,
Shri T.A. Mirza, APP for the respondents.

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

DATED : MARCH 29, 2016.

The petitioner has been convicted in the Bombay Bomb Blast case. The Hon'ble Apex Court in the reported judgment of Yakub Abdul Razak Memon .vs. State of Maharashtra and others, reported in 2013 LawSuit (SC) 246, has warned State to take due consideration of judicial reasoning before exercising the remission power. The application of the petitioner is rejected on the ground that the applicant is the resident of Mumbai which is highly sensitive area.

We find that taking into consideration the fact that the present applicant is a convict in the Bombay Bomb Blast case, it cannot be said that the discretion exercised by the respondents has been exercised in an illegal manner.

The petition is, therefore, rejected.

JUDGE

JUDGE