

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

CRIMINAL WRIT PETITION NO.516 OF 2016

Santosh Kisan More

..VS..

D.I.G. (Prisons) (East), Nagpur and anr

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

Court's or Judge's Order

Shri Mir Nagman Ali, counsel for the petitioner.
Shri N.R. Rode, Addl.P.P. for the respondents/State.

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.**

DATED : OCTOBER 20, 2016.

Heard learned counsel Shri Mir Nagman Ali
for the petitioner and learned Additional Public
Prosecutor Shri N.R. Rode for the respondents/State.

The challenge is to order dated 24.11.2006
imposing cut in remission of thirty-nine days that is
three days remission cut for each one day of late
reporting.

After hearing learned counsel Shri Mir
Nagman Ali for the petitioner and learned Additional
Public Prosecutor Shri N.R. Rode for the
respondents/State we find that parole leave was sought
on 12.7.2005 and he was released on 22.7.2005 for a
period of fifteen days. He was expected to report back

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on 7.8.2005. The grandfather, for whose illness parole leave was sought, expired on 6.8.2005. In this situation, the petitioner has reported back on 20.8.2005 that is after fourteenth day of the death.

Surrender is voluntary and the petitioner was not required to be arrested.

In this situation, considering the fact, we find punishment as imposed unsustainable. It is accordingly quashed and set aside.

The writ petition is allowed. No costs.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 20/10/2016

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