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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 42 OF 2017

Amarshi s/o. Late Ramji Rathod ...Petitioner

vs.
The State of Maharashtra ...Respondent

.....
Mr. Sushil Upadhyay i/by Mr. A.M. Saraogi, Advocate for the petitioner.

Mr. Arfan Sait, A.P.P. for the State.
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**CORAM : SMT. V.K. TAHILRAMANI &
M.S.KARNIK, J.J.**

DATE : 10th October, 2017.

ORAL JUDGMENT (PER SMT. V.K. TAHILRAMANI, J.):

Heard both sides. The petitioner is undergoing life imprisonment for causing death of his wife by setting on her fire. The prayer of the petitioner is that his case for premature release under Section 433 A of the Code of Criminal Procedure be decided.

2. Learned APP on instructions states that the case of the petitioner has been decided and the petitioners has been placed in category 2(c) of the 2010 Guidelines which stipulates that the

petitioner will be prematurely released from prison after he completes 26 years of imprisonment with remission provided that he completes 14 years of actual imprisonment.

3. In view of the fact that the case of the petitioner for premature release has been decided by the government, no further orders are necessary, hence Rule is discharged.

4. Needless to say that it would be open to the petitioner to challenge the said categorization if so advised.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)