

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

Criminal Writ Petition No.320 of 2017
(Sohanlal Bulakichand Jain .vs State and Ors.)

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

Court's or Judge's Orders

Mr.Ambarish Joshi, A.P.P. for the Respondent Nos.1 to 3.

CORAM : SMT VASANTI A NAIK &
M. G. GIRATKAR, JJ.

DATE : 31.8.2017.

By this Criminal Writ Petition, the petitioner seeks a direction against the respondents to release the petitioner forthwith as per the Government Resolution dated 10th January, 2016.

According to the petitioner, the petitioner has attained the age of 60 years and he has completed 12 years of actual jail sentence. The petitioner has relied on the Government Resolution dated 10th January, 2016 by which a senior male citizen aged 65 years would be entitled to be set at liberty if he has undergone the sentence for a period of 14 years without remission.

Mr.Ambarish Joshi, learned Additional Public Prosecutor appearing for the respondents has referred to the affidavit-in-reply filed on behalf of the respondents to submit that the petitioner claims that he is aged about 61 years and even, as per the Government Resolution dated 10th January, 2016, he would not be entitled to be set at

liberty as he is a male convict and a male convict would be entitled for the release only after he undergoes 14 years of imprisonment at the age of 65 years. It is stated that the case of the petitioner is referred to the State Government and a decision would be taken on the proposal of the petitioner and then the petitioner would be referred to the Medical College and Hospital for ascertaining his age.

By accepting the statement made on behalf of the respondents, which would be binding on the respondents, we dispose of the Criminal Writ Petition. Order accordingly.

JUDGE

JUDGE

**jaiswal*