

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 477/2017

(BABA BAPURAO IVANATE (IN JAIL) **VERSUS** THE D.I.G. OF PRISONS, NAGPUR & ANOTHER)

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

Court's or Judge's orders

Ms S.B. Khobragade, Counsel for the petitioner.
 Shri A.M. Joshi, Additional Public Prosecutor for the respondents.

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

DATE : AUGUST 09, 2017.

By this criminal writ petition, the petitioner challenges the order of the District Judge-13 and Assistant Sessions Judge, Nagpur permanently depriving the petitioner from getting remission as per Entry No.8 of the notification dated 02.08.2011.

On a reading of the impugned order and on a perusal of the notification dated 02.08.2011, it appears that the petitioner would not be entitled to remission as when the petitioner was released on parole in the year 2006, the petitioner had surrendered belatedly after 3104 days from the expiry of the parole leave. The prisoners, who surrender more than six months after the expiry of the parole leave, are not entitled to remission and in the instant case, the petitioner has surrendered after eight years.

Since there is no infirmity in the impugned order, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE