

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 756 OF 2016.

(Ramu s/o Rangrud Madkam & others .vs. The State of Maharashtra & others)

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

Mr. N.H. Samundre, Advocate for petitioners,
Mr. J.Y. Ghurde, A.P.P. for respondents.

CORAM : B.R. GAVAI & KUM. INDIRA JAIN, JJ.

DATED : JANUARY 9, 2017.

The petitioners have approached this Court praying for a direction to release the petitioner after completion of 14 years.

It is the case of the petitioner that the petitioner's case is covered by Clause No. 9 of Annexure II to the Government Resolution dated 15.3.2010.

Mr. N.H. Samundre, learned Advocate for petitioners, submits that Clause 9 of Annexure II refers to Sections 388 to 400 of the Indian Penal Code and since the petitioner is convicted for an offence punishable under Section 397 of the Indian Penal Code, the period of imprisonment would be only 14 years.

However, we find that the contention is on misreading of the Government Resolution. The heading to the said Government Resolution itself provides that the same is applicable to the persons guilty of offences not involving murder.

Undisputedly, the petitioner is convicted for dacoity with murder and as such, he would not be governed by Annexure

II.

In that view of the matter, no case is made out for interference. The petition is rejected.

Judge

Judge

J.