

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1764 OF 2018

Barkya @ Balu Yadav Khadge	...Petitioner
Versus	
The State of Maharashtra	...Respondent

Mr. Prosper D'souza - Advocate Appointed for Petitioner.
Mr. Arfan Sait - APP for the State.

**CORAM: SMT. V. K. TAHILRAMANI, Acting C. J. &
M. S. SONAK, J.**

DATE : 05 JULY 2018

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

- 1] Heard both the sides.
- 2] The prayer of the petitioner is for premature release.
- 3] As per the rules, the case of the petitioner was referred to the State Government to consider his case of premature release. By order dated 2nd July 2018, the State has come to the conclusion that the petitioner falls in Categories 3(d) of the 1992 Guidelines and 4(e) of the 2010 Guidelines framed by the Government for premature release. Both Categories 3(d) and 4(e) state that the

petitioner will be released from prison after completing 26 years of imprisonment including remission provided that he has completed 14 years of actual imprisonment. Thus, the State has decided the case of the petitioner for premature release. In case the petitioner is aggrieved by the said Categorization, it would be open to him to challenge the same. No further orders are necessary, hence Rule is discharged.

4] The order dated 2nd July 2018 is taken on record and marked as 'X' Collectively for identification.

5] Office to communicate this order to the petitioner, who is in Yerwada Open Prison, Pune.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

CHANDKA