

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

930 CRIMINAL WRIT PETITION NO.605 OF 2019

RAJESH RAMPADARAS KAHAR @ RAJESH SHETTY C-142

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Chate Sharada P.

APP for Respondents: Mr. S.B. Joshi.

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**CORAM : T.V. NALAWADE AND
MANGESH S. PATIL, JJ.**

DATE : 11th APRIL, 2019.

ORAL JUDGMENT :

. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.

2. Submissions made and record show that application is given by the petitioner for his premature release from the prison within stipulated period. Copy of the application is produced to show that prior to January 2019, the application came to be made and the applicant has been undergone imprisonment for 13 years, 7 months and 13 days and for some period remission is given. According to

the petitioner, if remission period is considered, he has already undergone imprisonment for more than 21 years, 10 months and 22 days. It is the contention that his conduct has been good and he has been appointed as night watchmen but the application is not yet decided. In view of the rival contentions and the aforesaid records this Court holds that direction needs to be given to the respondents. In the result, the following order is passed:

O R D E R

I) Writ Petition is allowed with direction to the respondents to take decision on the application made by the Petitioner for premature release within one month from today.

II) Authenticated copies to both sides.

(MANGESH S. PATIL, J.)

(T.V. NALAWADE, J.)