

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1768 OF 2019

Anil Vithoba Nil (C-13)
Age 50 years, occ. Convict
r/o Open Prison Aurangabad
Dist. Aurangabad

Petitioner

Versus

1 State of Maharashtra
Through Superintendent of Jail
Open Prison, Aurangabad
Dist. Aurangabad

2. State of Maharashtra
Through Secretary,
Home Department (Prison)
Mumbai 400 005.

Respondents

Mr. V.P. Narwade, advocate for the petitioner.
Mrs. V.S. Choudhari, APP for both the respondents.

CORAM : T.V.NALAWADE &
N.B. SURYAWANSHI, JJ.,
DATE : 02nd December, 2019.

JUDGMENT : (PER T.V. NALAWADE, J)

1. Rule. Rule made returnable forthwith.

2. By consent of the parties, heard finally.

3. Present proceeding is filed for seeking directions against respondents to take decision on premature release of the petitioner. The submissions made show that the petitioner has been behind the bars since the year 2004 and the proposal came to be forwarded to the respondents in the year 2017. Learned

counsel for the petitioner submits that if petitioner is placed in a category for which imprisonment period is 24 years, then after considering the remission, he has completed a period of almost 22 years and so the decision needs to be taken expeditiously.

4. In view of the aforesaid circumstances, this Court holds that direction needs be given to the respondents to take decision expeditiously. Petition is allowed.

5. Direction is hereby given to the respondents to take decision on the proposal in respect of the present petitioner within 45 days from today.

6. Rule made absolute in above terms.

(N. B. SURYAWANSHI)
JUDGE

(T. V. NALAWADE)
JUDGE

dyb/