

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 341 OF 2019**

Laltu Ashok Ghosh

.....Petitioner

Vs.

The State of Maharashtra

....Respondent.

None for the Petitioner.

Mr. Arfan Sait, APP for the Respondent-State.

CORAM : A. S. OKA, AND**A. S. GADKARI, JJ.****DATE : 18th FEBRUARY, 2019.****P.C.:-**

With the assistance of the learned APP, we have perused the Petition and annexures thereto. By an Order dated 18th August, 2016, the State Government considered the case of the Petitioner for pre-mature release and it was directed that after the Petitioner undergoes sentence for 26 years (including of remissions), he shall be released from the Jail provided he has actually undergone imprisonment for 14 years.

2 Being aggrieved by the fact that his case for pre-mature release was not considered, the present Petitioner has filed Writ Petition bearing No. 3284 of 2015, which was rejected by an Order

dated 25th August, 2016 by a Division Bench of this Court. Paragraph No.3 of the said Order considers the impugned Order dated 18th August, 2016. The Division Bench has affirmed the categorization made by the State in the said Order.

3 This is a second Petition for claiming the same relief. In this Petition, it is contended that in the earlier Petition, proper submissions were not made by the Advocate appointed for the Petitioner. That is not a ground to file a second Petition for claiming the same relief. Accordingly, we reject this Petition.

4 A copy of this Order shall be forwarded to the Petitioner through the concerned Jail Superintendent.

5 We may also note here that the grievance regarding fine imposed on the Petitioner by the Sessions Court cannot be gone into in this Petition.

(A.S. GADKARI, J.)

(A.S. OKA, J.)