

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

WRIT PETITION NO.688 OF 2019

Vishwanath Krishnaji Hagawane

...Petitioner

vs.

The State of Maharashtra

...Respondent

Mrs. Vaishali S. Nimbalkar for the Petitioner.

Mrs. P. P. Shinde, APP for the Respondent.

**CORAM : B. P. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 27/03/2019.

P.C.:

. This Court has in view of orders dated 28/2/2019 passed order on 13/3/2019 and accordingly the matter is placed today.

2. Learned counsel for the petitioner submits that the petitioner is not ready and willing to undergo treatment while he is in custody of police.

3. Learned APP has invited our attention to previous history.

4. He has been sentenced to life imprisonment on 15/6/1979. In 1980 he has reported late by 28 days and in 1983 he reported late by 452 days. It appears that despite this history he was again given parole in 1984 and after registering offence under section 224 of IPC, police arrested him and brought back. He was absconding for 10988 days. It is not in dispute that while mentioning this period in words inadvertently it has been mentioned as period of 1988 days in the impugned order.

5. Thus, he was absconding for over 35 years. The respondent has shown readiness and willingness to provide him necessary treatment in accordance with law. Petitioner is a prisoner who has not utilized rights

made available to convict as per law.

6. His unreadiness or non-willingness to undergo treatment as offered by respondent is highhanded.

7. No intervention is called for by this Court. The writ petition is rejected.

(PRAKASH D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)