

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1760 OF 2018

Pundalik Ganpat Gole	...Petitioner
V/s.	
The Court of Sessions Judge	Respondent

Mr. Prosper D'souza, Advocate for the petitioner.

Mrs. M.H. Mhatre, APP for State.

CORAM : B.P. DHARMADHIKARI, &

SANDEEP K. SHINDE, JJ.

Tuesday, 15th October, 2019.**P.C. :**

1. Learned Counsel then appointed is no more. Advocate, Mr. Prosper D'souza present in Court is therefore requested to assist the Court.

2. We have perused papers. Prisoner,

Pundalik arrested on 8th September, 2010 has been convicted on 5th December, 2013. His request is to give to him benefit of remission scheme floated on account of 125th Birth Anniversary of Dr. Babasaheb Ambedkar.

3. Record shows that, convicting Court, namely, City Sessions Court (Court Room No.35), Mumbai has expressed inability to submit any recommendation in terms of Section 432 Criminal Procedure Code since papers are with appellate Court, i.e. High Court.

4. In this situation, we direct Convicting Court to peruse the judgment and to submit necessary recommendation to Superintendent of Kolhapur Central Prison within eight weeks of receipt of this order.

5. Superintendent of said jail shall thereafter within further period of eight weeks take appropriate decision in terms of guidelines

laid down on 3rd June, 2017. Petition is thus partly allowed and disposed off.

6. Order be communicated to prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)