

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2657 OF 2019

Juber Nisar Qureshi ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr. Shashikant Chandak for the petitioner.

Mr.J.P. Yagnik, APP for the State.

CORAM : B.P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.
DATE : AUGUST 19, 2019

P.C.:

Petitioner prisoner seeks benefit of remission scheme floated on 125th birth day of Dr. Babasaheb Ambedkar. We have heard learned counsel (appointed) and learned APP. The convicting court has while submitting its appraisal report found that the guidelines dated 15/3/2010 did not allow availment of such remission.

2. Perusal of the remission scheme floated on 3/6/2017 shows that it is applicable to the convicts for the offences which fall in executive domain of the State Government.

3. The reasons given by the convicting court therefore, appears to be incorrect.

4. However, after receipt of the appraisal report, the competent authority namely State Government has to take a decision whether to extend the benefit of remission scheme or not. That decision has still not been taken in the present matter.

5. We therefore, direct the respondent State Government to take that decision within six weeks after the communication of this order to it. The order so passed shall be communicated to the prisoner in jail.

6. Petition is partly allowed and disposed of.

7. This order be communicated to the prisoner in jail.

(SANDEEP KASHINATH SHINDE, J.)

(B.P. DHARMADHIKARI, J.)