

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2794 OF 2018

Rajaram Nathuram Shinde
V/s.
The State of Maharashtra
and anr.

....Petitioner

....Respondents

None for the petitioner.

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

**CORAM : B.P. DHARMADHIKARI, &
SANDEEP K. SHINDE, JJ.**

Tuesday, 24th September, 2019.

P.C. :

1. Heard respective Counsel.
2. Application is received from Prisoner in jail. Learned APP is seeking time to verify facts. We find that prisoner is seeking benefit of remission scheme floated on the eve of 125th Birth Anniversary of Dr. Babasaheb Ambedkar.
3. The said remission is found not available by Additional Sessions Judge, Karad in opinion

forwarded on 3rd July, 2017 to Superintendent of Yerwada Open District Jail.

4. However, the opinion itself mentions that it is open to the State Government to take suitable decision in accordance with law.

5. Though learned APP is seeking time, we find that in terms of its policy decision dated 3rd June, 2017 Government has to decide entitlement of petitioner to benefit of remission scheme.

6. Hence with direction to State Government to take that decision in accordance with law within three months from the date of communication of this order and keeping all contentions open, we dispose off Writ Petition.

7. Order be communicated to Prisoner in Jail.

8. Similarly, order be communicated to respondent no.2-Deputy Secretary.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)