

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

WRIT PETITION NO.3306 OF 2019

Sunil Sadanand Jambhalekar ... Petitioner

Vs

The State of Maharashtra ... Respondent

...

Mr. Nikhilesh D. Pote for the Petitioner.

Mrs. M.H.Mhatre, APP for the Respondent-State.

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

DATE : AUGUST 20, 2019

P.C. :

Prisoner, who has put in more than 16 years in jail seeks order of his categorisation. The learned APP submits that though the office of ADIG and IG of prison has forwarded a proposal to the Principal Secretary of Home Department, as complete papers are not available, decision could not be taken.

2 Counsel appointed disputes this.

3 Perusal of the proposal shows that prisoner has committed offence on 26th November, 1999 and has been sentenced on 26th February, 2003. The office of ADIG has categorised him in 28

years category as per 11th May, 1992 guide-lines and 11th April, 2008 guide-lines. The convicting Court has on 15th March, 2010 classified him in 18 years category. We are not at this stage required to look into this period or their other periods specified in that report.

4 The prisoner has already completed 16 years and hence, the order of characterisation needs to be passed at the earliest and in any case before he completes 18 years.

5 We, therefore, direct respondent-State to obtain necessary papers within six weeks after communication of this order and to pass suitable orders on categorisation within a further period of six weeks.

6 Order passed shall be communicated to the prisoner in jail.

7 Petition is, accordingly, partly allowed and disposed of.

8 This order should be communicated to the prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P.DHARMADHIKARI, J.)