

27.8.2019

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3447 OF 2019

Ankush Ramchandra Satpute

...Petitioner

V/s.

The State of Maharashtra

....Respondent

None for the petitioner.

Mr. H.J. Dedhia, APP for State.

CORAM : B.P. DHARMADHIKARI, &

SANDEEP K. SHINDE, JJ.

Tuesday, 27th August, 2019.

P.C. :

1. Heard respective Counsel.

2. The appraisal report dated 5th August, 2018

sent by the District Judge-III and Additional

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Sessions Judge, Satara opines that offence committed by the petitioner is grave and hence he is not entitled to remission as per the scheme floated on 3rd June, 2017.

2. The said scheme floated on the eve of 125th Birth Anniversary of Dr. Babasaheb Ambedkar does not contain any such classification of offences. It does not deny benefit of remission on the ground that crime is grave or serious.

3. However, we are not concluding this aspect here. After the appraisal report under Section 432(2) Criminal Procedure Code, the Competent Authority has to take decision upon it in accordance with law.

4. We therefore direct the Competent Authority to exercise the G.R. dated 3rd June, 2017 and other relevant G.R.s and then to take its own

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decision uninfluenced by appraisal report within next three months.

5. With these directions, we dispose of writ petition.

6. Order be communicated to prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)