

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3907 OF 2019

Shankar Hanumant Nagam

...Petitioner

V/s.

The State of Maharashtra

....Respondent

Mr. Abhishek R. Avchat, Advocate for the
petitioner.

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

CORAM : B.P. DHARMADHIKARI, &

SANDEEP K. SHINDE, JJ.

Wednesday, 9th October, 2019.

P.C. :

1. Heard Learned Advocate appointed and
learned APP for State.

2. Petitioner sentenced to five years imprisonment seeks categorisation.

3. Convicting Court has expressed inability to give any opinion as records and proceedings were sent to High Court. Counsel appointed informs that said Appeal is already dismissed on 6th March, 2019.

4. Learned APP informs that petitioner has already undergone about four years of imprisonment.

5. If remission scheme is applicable, petitioner may get remission of about two months.

6. In this situation, we direct Authorities to take necessary steps to obtain the opinion from convicting Court in terms of Section 432 Criminal Procedure Code and to pass orders therefor.

7. These steps shall be initiated within four weeks from today and shall be completed within next two months.

8. With these directions, we dispose off the
Writ Petition.

9. Order be communicated to prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)