

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4889 OF 2019

Vishal Sukhadev Rajbhog and anr. ... Petitioners

Versus

The State of Maharashtra ... Respondent

Mr. Prosper D'souza for the petitioners.

Smt. Aruna Pai, APP for the State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : DECEMBER 12, 2019

P.C.:

Heard for some time. Today only we have disposed of Criminal Writ Petition No. 4886 of 2019 holding that in case of offences under IPC, if the conviction is under sections 121 to 130 thereof, benefit of remission scheme cannot be granted.

2. In the present matter, the conviction is under sections 376(g), 363, 366 and 341 IPC and the punishment imposed is of 10 years with fine of Rs.3500/-. In this situation, they are entitled to benefit of remission scheme.

3. In this situation, we direct the competent authority to extend to them that benefit in accordance with law.

4. Petition is thus allowed and disposed of.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)