

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4783 OF 2018

Rajendra Sitaram Sonawane ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr. Hitesh Shah for the petitioner.

Mr. J.P. Yagnik, APP for the State.

CORAM : B.P. DHARMADHIKARI &
SMT.SWAPNA JOSHI, JJ.
DATE : JUNE 27, 2019

P.C.:

Heard learned counsel. This is a second petition filed by the prisoner claiming remission for the period from 26/3/2013 to 29/4/2016 when he was in open prison. Earlier writ petition No. 4810 of 2015 was dismissed in default on 23/3/2016 with a liberty to the respondent state to take up his request in next meeting and direction to hold that meeting within three weeks from 23/3/2016. Petitioner was also given liberty to approach again by order dated 7/8/2018.

2. Filing of second petition shows that the decision as per orders of this Court has not been taken. Learned APP is seeking time to verify the facts and make appropriate statement.

3. When the petitioner is open jail, he is entitled to grant of remission under the scheme which is more liberal. In this situation, we direct the respondent to examine the case of the petitioner as per law within eight weeks from the date of communication of this order to it. The decision taken shall be communicated to the petitioner in prison within further period of four weeks.

4. With these directions, we partly allow this petition and dispose it of.

(SMT.SWAPNA JOSHI, J.)

(B.P. DHARMADHIKARI, J.)