

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. WRIT PETITION NO.480 OF 2019

(SAKHAWAT HUSSAIN ABDUL SATTAR...VS.. STATE OF MAH. THR. SPL. I.G. PRISONS & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sankalp Meshram, Advocate (Appointed) for Petitioner.
Ms Nandita Dubey-Tripathi, A.P.P. for Respondent Nos.1 to 3.

CORAM : Z.A.HAQ AND
PUSHPA V. GANEDIWALA, JJ.

DATED : SEPTEMBER 19, 2019.

By this petition, the petitioner sought following
reliefs:

(a) direct the Respondent Nos. 1 and 2 to shift Petitioner from Amravati Central Prison to Wardha District Jail as Section 59 clause 22 of Prison Act, 1894 as the imprisonment of the Petitioner is about to expire.

(a-i) direct the Respondent Nos. 1 and 2 to decide expeditiously Representation made on dated 24/02/2019 by the Petitioner which at ANNEXURE-A and ANNEXURE-B in the interest of justice.

(b) For such further and other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interest of justice.

The learned A.P.P. vide affidavit in reply on behalf of the State states that the petitioner who is life convict, whenever he was released on furlough or parole leave, he overstayed, on one occasion for 1185 days and on another occasion for 2443 days and on both the occasions he was required to be arrested and offence under Section 224 of the Indian Penal Code was registered against him.

Furthermore, he being the life convict, he cannot be transferred to District Prison, Wardha since the said prison is not meant for life convicts and the same is also stated to be overcrowded.

We do not find any case made out for granting the reliefs prayed in this petition. Hence, the writ petition is **dismissed**.

Fees of the Advocate appointed to represent the petitioner be quantified as per the Rules.

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