

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 84 OF 2020

Baba Khan @ Babasaheb s/o.
Shivaji Bhosale, Age 45 years,
Occu. Nil Convict No. 8481,
R/o. At present in Central Prison,
Aurangabad, Dist. Aurangabad.

....Petitioner.

Versus

1. The State of Maharashtra,
Through Secretary Home Department,
Mantralaya, Mumbai.
2. The Inspector General of Prisons,
Maharashtra State, Pune.
3. The Superintendent of
Central Prison, Aurangabad,
Dist. Aurangabad.

....Respondents.

Mrs. Bharati B. Gunjal, Advocate for petitioner.

Mrs. D.S. Jape, APP for respondents.

**CORAM : T.V. NALAWADE AND
M.G. SEWLIKAR, JJ.**

DATED : 22/01/2020.

ORAL JUDGMENT :

- 1) Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal. The learned APP waives notice for all the respondents.
- 2) The submissions made show that the proposal of premature release of petitioner/prisoner is pending with the

respondents since the year 2016. It is submitted for the petitioner that he has been behind bars for about 23 years and it is his case that as per the proper category, he can be kept in prison for 18 years. She submits that co-accused in this matter came to be released in the year 2014. In view of this submission, this Court holds that direction needs to be immediately given to respondents to take decision on proposal made for premature release. So the petition is allowed. Direction is hereby given to the respondents to take decision on the proposal, if any pending, in respect of premature release of the petitioner within 45 days from today. Rule is made absolute in those terms.

Authenticated copy is allowed to the learned APP and also the counsel of the petitioner.

[M.G. SEWLIKAR, J.]

[T.V. NALAWADE, J.]

ssc/