

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**  
**CRIMINAL WRIT PETITION NO. 2031 OF 2019**

Sandip Manikrao Borate,  
Age : 35 Years, Occ. Nil  
Convicted No.42,  
R/o. at Present in Open Prison  
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.
- ...RESPONDENTS

.....  
*Advocate for the Petitioner : Mrs Bharati B. Gunjal*  
*A.P.P for Respondent-State : Mr. S.G. Sangle*

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**CORAM :T.V. NALWADE AND**  
**M. G. SEWLIKAR,JJ.**  
**DATE : 03.02.2020.**

**ORAL JUDGMENT( Per T.V. NALWADE, J] :-**

Rule. Rule made returnable forthwith. By consent heard both the sides for final disposal.

2. The submissions made show that including period of remission the petitioner has already undergone imprisonment period of more than 24 years. It appears that the proposal of

pre-mature release of the petitioner is pending with Government since 06.12.2018. It is the thinking of the petitioner that he can be placed in such a category for which the imprisonment period provided is at the most 22 years, if there is commutation of the life sentence. In view of this submissions and circumstance, this Court holds that, direction needs to be given to respondents to take decision on the proposal made in respect of pre-mature release of the petitioner. So the petition is allowed. The direction is hereby given to the respondents to take decision on the aforesaid proposal in respect of the petitioner within 30 days from the date of this order.

3. Rule made absolute in those terms.

4. Authenticate copy is allowed.

**(M.G.SEWLIKAR, J.)**

**(T.V. NALAWADE, J.)**

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