

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 3486 OF 2018

Mohd.Shafi Najmuddin Shaikh

...Petitioner

Vs.

The State of Maharashtra

...Respondent

Mr. Ajinkya Badar for the petitioner.

Mr. K.V.Saste, APP for the State.

**CORAM : B. P DHARMADHIKARI &
N.R.BORKAR, JJ.**

DATE : 14TH JANUARY, 2020.

P.C.:

The Prisoner is seeking premature release contending that he has already completed his prison term. He has been arrested on 10th May, 2004 and FIR was also registered in 2004. The MCOC Court has punished him with life imprisonment and fine of Rs.5,00,000/- with imprisonment of one year in default, on 24th March, 2005.

2. The communication sent by Superintendent, Kolhapur Open Prison, Kolhapur on 11th July, 2018 shows that orders of State Government on his categorization are still awaited.

3. Learned APP is seeking time to obtain instructions as according to him, in the meanwhile, orders may have been passed.

4. Learned Counsel for petitioner submits that if orders are already passed, same can be communicated to prisoner or otherwise this Court may direct respondent to pass orders in time bound manner.

5. In this situation, we are not inclined to adjourn the matter. We direct respondent to pass suitable orders on plea of categorization within four weeks after this order communicated to Competent Authority. If the orders are already passed, same shall be communicated to prisoner in jail within four weeks.

6. With these directions and keeping all other contentions open, we dispose of this Writ Petition.

(N.R.BORKAR, J.)

(B. P. DHARMADHIKARI, J.)