

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

CRIMINAL WRIT PETITION NO. 3587 OF 2018

WITH

INTERIM APPLICATION NO. 1 OF 2020

IN

CRIMINAL WRIT PETITION NO. 3587 OF 2018

WITH

CRIMINAL APPLICATION NO. 11 OF 2019

IN

CRIMINAL WRIT PETITION NO. 3587 OF 2018

Bashir Ahmed Usman Gani

... Petitioner/Applicant

V/s.

The State of Maharashtra

... Respondent

None for the Petitioner.

Mr. S.R. Shinde, APP for the State.

Mr. P.M. Nagawade, Jailor-GR-II, Nashik Central Prison.

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

DATE : 10th FEBRUARY, 2020.

P.C. :-

1. Following order disposes of all three proceedings :-
2. In Writ Petition as also in Criminal Application No.11/2019, prisoner seeks direction of State Government to pass orders on his categorization expeditiously. This Court has on 18/11/2019 already directed the Government to pass this order within three months.

3. With the result, the said petition and application was already disposed of however, it has been shown as pending. In Interim Application No.1/2020, the prisoner states that order of conviction was pronounced in his matter by TADA Court on 04/12/2006 while he has been sentenced actually on 20/07/2007. Submission is that he ceases to be an under trial prisoner after 04/12/2006. He therefore seeks a direction to Authorities to treat this period and accept it for calculation of remission.

4. We find the request just. We accordingly direct Authorities to treat the period upto 20/07/2007 as period spent under trial. Remission shall be calculated accordingly.

5. Thus with this order, all above three proceedings are disposed of.

6. Order be communicated to the prisoner in Jail.

Preeti H.
Jayani

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Date: 2020.02.14
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(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)