

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 446 OF 2020**

Hiraman R. Bhoye	... Petitioner
V/s.	
The State of Maharashtra	... Respondents

Mr. P.P. Pawar (appointed) for the Petitioner.
Dr. F.R. Shaikh, APP for the Respondent – State.

**CORAM : B.P. DHARMADHIKARI,
 ACTING CHIEF JUSTICE &
 N.R. BORKAR, J.
DATE : MARCH 6, 2020.**

P.C.

1] For the reasons recorded in the order passed today in Criminal Writ Petition No. 4256 of 2018, which we have allowed, this petition can be conveniently disposed of with following directions:

“We find both orders are unsustainable and the same are quashed and set aside. We direct the first authority to pass fresh orders, in accordance with law, within four weeks from the date of communication of this order to it.”

2] Here, the prisoner was under trial from 8th September 2012 to 7th February 2013 and thereafter, as a convict from 8th February 2013 to 30th November 2019.

3] Thus, he has never been released either on bail or on any other leave and hence, the adverse police report against him is not justified.

4] Hence, with similar liberty and directions as mentioned in our earlier order supra, we partly allow this petition and dispose of it.

5] This order be communicated to the prisoner in Jail.

(N.R. BORKAR, J.)

(ACTING CHIEF JUSTICE)