

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 518 OF 2020**

Ronald James Alvaris ..... Petitioner

Versus

The Principal Distrit and Sessions Judge ... Respondent

None for the petitioner.

Dr. F.R. Shaikh, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI &**  
**NITIN R. BORKAR, JJ.**  
**DATE : JANUARY 30, 2020**

**P.C.:**

The convict seeks benefit of remission scheme floated on the eve of 125<sup>th</sup> Birth Anniversary of Dr. Babasaheb Ambedkar.

2. Learned APP has produced before us the nominal roll of the prisoner as also the order of the State Government dated 31/5/2019 which recognizes fact that he has to be placed in prison for rest of the life.

3. These documents are taken on record as Exh."A" and Exh. "B". The convicting court has in June, 2019 considering the nature of offence and the fact that he was sentenced to death by the trial court and it was maintained by the High Court, submitted negative recommendations.

4. From the nominal roll produced by the learned APP, we find that the Hon'ble Apex Court has in Criminal Appeal No.1064 of 1997 sentenced him to life imprisonment instead of death.

5. On 31/5/2019, the State Government has considered these facts and has treated him as convict sentenced to suffer life imprisonment for remainder of his life. It is settled principle of law that when there is no fixed term sentence imposed upon the prisoner, the remission scheme cannot apply.

5. However, we are not certain whether the prisoner is aware of the orders dated 31/5/2019 at Exh. B. We therefore, direct the respondent authority to serve copy of that order upon the prisoner. With liberty to the prisoner to take such other steps as are available in law, we dispose of the present petition. Prisoner can also seek legal assistance.

6. Copy of this order be served upon the prisoner in jail.

**(NITIN R. BORKAR, J.)**

**(B.P. DHARMADHIKARI, J.)**