

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

**CRIMINAL APPLICATION NO.148 OF 2019
IN
WRIT PETITION NO.4263 OF 2018**

Ehtesham Qutubuddin Siddiqui

...Applicant/Petitioner

vs.

Asst. Commissioner of Police and Public

Information Officer (Crime) and Ors.

...Respondents

Mr. Shashikant P. Chaudhari for the Petitioner.
Dr. F. R. Shaikh, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.
DATE : 7/2/2020.**

PC.:

1. Heard learned counsel appointed and learned APP. Learned counsel (appointed) submits that grievance by prisoner is about not furnishing information under Right to Information Act and therefore the matter must be placed before learned Single Judge of this Court.

2. Learned APP pointed out that the prisoner is already convicted and sentenced to death.

3. Alleged information sought for pertains to merits of the trial and as he is in prison, grievance has been placed before this Court. He further submits that information sought for appears to be a roving effort to delay the proceedings.

4. We find that the prisoner has sent letter mentioning it to be writ petition. Learned counsel (appointed) informs that during video conference the prisoner has disclosed that death reference is pending and in it the prisoner is represented by private advocate.

5. Prisoner has been sentenced to death on 30/9/2015 in Bombay bomb blast case. He is seeking information which has bearing on proceedings of trial in which he is punished. We therefore find substance in objection being raised by learned APP. We dismiss the application as also the petition with liberty to the prisoner to make demand in pending death reference for its proper evaluation.

6. Order be served upon the prisoner in jail.

7. Accordingly, proceedings are closed.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)