

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4207 OF 2019**

Pankaj @ Rahul Ramgopal Jagariya	... Petitioner
V/s.	
The State of Maharashtra	... Respondent

None for the for the Petitioner.
Dr. F.R. Shaikh, APP for the Respondent – State.

**CORAM : B.P. DHARMADHIKARI &
 N.R. BORKAR, JJ.
DATE : JANUARY 09, 2020.**

P.C.

- 1] Learned APP is still awaiting instructions.

- 2] This Court had issued notice in the matter on 3rd December 2019.

- 3] Letter of prisoner is sent by the Superintendent, Kolhpaur Open Prison with forwarding letter dated 24th July 2019. This letter shows that till 30th June 2019 with remission the prisoner has put in 17 years 1 month and 9 days of imprisonment.

- 4] The prisoner has been sentenced under sections 364-A, 397 read with section 34 of Indian Penal Code and section

37(1) of Mumbai Police Act and sections 3 and 25 of Arms Act.

5] The communication forwarded shows that the prisoner has been categorized under clause 7(b) of Annexure - II of Circular dated 15th March 2010.

6] If this be correct, the prisoner has to about 6 months more to complete imprisonment. However, if liberal formula of remission applicable in Open Prison is looked into, he may complete the imprisonment soon.

7] In this situation, we direct the authorities to calculate the date of his release and accordingly, pass suitable orders within 4 weeks from today. Copy of that order shall be communicated to the prisoner. Writ Petition is disposed of accordingly.

8] Copy of this order be sent to the prisoner in Jail.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)