

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5969 OF 2019

Pandurang s/o. Vitthal Karande ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

WITH
WRIT PETITION NO. 4709 OF 2019

Santosh Pandurang Karande ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. Daulat Khamkar for the petitioner in WP No. 4709 of 2019.

Mr. Rupesh Jaiswal for the petitioner in WP No. 5969 of 2019.

Mr. K.V. Saste, APP for the State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 06, 2020

P.C.:

Petitioner Pandurang has a grocery shop and deceased Shrikant happened to be his customer. As Shrikant went to another grocery shop of one Nagya, Pandurang with the help of Santosh (petitioner in WP No. 4709 of 2019) committed murder of Shrikant on 13/6/2004. Both have been convicted on

13/04/2006. By the impugned order dated 1/6/2019 they have been put in category 4(d) of the GR dated 15/03/2010 for their release as per 14 years Rules.

2. The contention of the petitioners is murder has taken place due to business rivalry and therefore, clause 4(d) of the GR dated 15/3/2010 should have been applied.

3. Learned APP submits that Shrikant was not a business rival but the customer.

4. In our opinion, there is substance in the contention of the learned APP. The shop owner Pandurang had no rivalry or business rivalry with Shrikant. If the customers of Pandurang started preferring shop of Nagya, Pandurang could have claimed business rivalry with Nagya.

5. We therefore, do not find anything wrong with the categorization. No case is made out. In the result, both the petitions are dismissed.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)