

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

WRIT PETITION NO.4930 OF 2018

Rajesh Jagan Kharote

...Petitioner

vs.

The State of Maharashtra

...Respondent

Omkar Nagvekar i/b Trupti M. Khamkar for the Petitioner.
Mr. K. V. Saste, APP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.
DATE : 18/2/2020.**

PC.:

. Heard learned counsel (appointed) and learned APP. Petitioner seeks benefit of remission scheme floated on eve of 125th Birth Anniversary of Dr. Babasaheb Ambedkar.

2. The benefit is denied to him because of negative recommendation by the convicting Court i.e. Additional Sessions Judge, City Civil and Sessions Court, Greater Bombay.

3. Nominal Roll and other papers at Exhibit "A" produced by learned APP reveals that conviction is under section 498 (A), 304-B read with 34 of IPC.

4. As per the policy decision which governs above mentioned remission scheme, the conviction under these sections is not excluded from its purview. Petitioner therefore is entitled to benefit of remission,

5. Accordingly we direct respondent to extend to him that benefit.

6. The petition is allowed and disposed of.

7. Order be communicated to the prisoner in jail.

(N. R. BORKAR, J.)

(B. P DHARMADHIKARI, J.)