

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 6293 OF 2019

Subhash @ Raviswaminath Shrivastava Petitioner

Versus

The State of Maharashtra ... Respondent

None for the petitioner.

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

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 10, 2020

P.C.:

Petitioner convict under section 302 of IPC completes 14 years of imprisonment with remission on 13/8/2020. The nominal roll shows no order of categorization in which he has been placed in 14 years rules.

2. He is claiming benefit of the remission under 125th Birth Anniversary remission scheme floated on the eve of birth anniversary of Dr. Babasaheb Ambedkar.

3. The convicting court has on 29/6/2018 rejected it. This court has found the rejection in such circumstances unjustified. The competent authority namely the Superintendent of the

concerned Jail has to take the decision independently after such recommendation. The prisoner prima facie has to put in some more time in prison. We direct the Superintendent of Yerawada Open Prison to apply his mind and to take suitable decision within next three months.

4. Writ Petition is accordingly allowed and disposed of.
5. Order be communicated to the prisoner in jail.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)