

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

WRIT PETITION NO.5907 OF 2018

Takku Singh s/o Ajit Singh Kalyani

...Petitioner

vs.

The State of Maharashtra and Ors.

...Respondents

Mr. Harjeet Kaur for the Petitioner.

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

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.**
DATE : 8/1/2020.

PC.:

. Matter is heard further in the light of order dated 5/12/2019 of this Court.

2. Date of release worked out by respondents is accepted to be correct by the petitioner.

3. However, learned counsel submits that the petitioner is likely to be moved to open prison and in that event formula for calculation of his remission will become very liberal thereby advancing his date of release.

4. Learned APP does not have any instructions about said move to shift. Learned APP submits that if prisoner is shifted to open prison, his remission shall be worked out in accordance with law.

5. In view of this statement we find that in case of transfer to

open prison the earlier date of release can be worked out by the respondents. In that event respondents cannot insist that he has to be in prison till August 2020.

6. Hence, with this observation and with liberty to the petitioner to approach this Court if his grievance still subsists, we dispose of the petition.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)