

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

LD-VC/CRIMINAL WRIT PETITION NO.226/2020

Ramesh Kisan Rathod, Convict No.404, Presently at Morshi Open Prison,
Morshi, Amravati

...Versus...

State of Maharashtra through Jail Superintendent, Morshi Open Prison, Morshi,
Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri M.N. Ali, Counsel for petitioner
Shri T.A. Mirza, APP for respondent nos.1 and 6/State

CORAM : Z. A. HAQ AND
AVINASH G. GHAROTE, JJ.

DATE : 07/08/2020

1. Heard Shri M.N. Ali, learned advocate for the petitioner and Shri T.A. Mirza, learned Additional Public Prosecutor for the respondent nos.1 and 6/State.
2. By the present petition, an enquiry into death of Pradeep Mahadevrao Gadekar (Convict No.C-617) from Morshi Open jail is sought.
3. The reason of death is stated to be bilateral pneumonia with cirrhosis of liver in a clinically diagnosed case of chronic obstructive pulmonary disease with hypertension and diabetes mellites. Subsequent to the demise, the Judicial Magistrate First Class, Court No.1,

Amravati was appointed to make an enquiry into the matter and the enquiry report dated 17/2/2020 has been submitted by the said Judicial Magistrate First Class, in which it is specifically stated that after having examined the entire position and recorded the statements of Shakunt Anant Giri, Gautam Sukhdeo Wahurwagh, Madan Fakira Patekar and Ajay Ambadas Waghmare, nothing has been found untoward with the demise of the prisoner. The learned Judicial Magistrate First Class, therefore, has opined that no suspicion can be attached to the demise of Pradeep Gadekar. Nothing contrary to the report, has been placed on record and therefore, the report stands as it is, in light of which, there is no scope for interference in the extraordinary jurisdiction of this Court.

The criminal writ petition, therefore is, without any merits and is accordingly dismissed.

Fees of the Advocate, appointed to represent the petitioner, be paid as per rules.

JUDGE

JUDGE

Wadkar

Shailendra
Wadkar

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Shailendra Wadkar
Date: 2020.08.10
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